

Abou Ishaq Ibrahim Ibn Musa Al-Shatibi
(D. 790 H.)

KITAB AL-I'TISAM

كِتَابُ
الْإِعْتِصَامِ

Translated by
Mohammed Mahdi Al-Sharif

1 - 2



دار الكتب العلمية
Dar Al-Kutub Al-Ilmiyyah
بيروت - لبنان
1971

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أو برمجته على أسطوانات ضوئية إلا بموافقة الناشر خطياً.

Introduction

Kitab Al-I'tisam (holding fast by the Book and the Sunnah) is composed by the grand Imam scholar, Ibrahim Ibn Musa Ibn Muhammad, Abu Ishaq Al-Lakhmi, Al-Ghirnati, recognized for Ash-Shatibi.

He learnt Arabic and other sciences of language and religion from such great Imams as Ibn Al-Fakhkhar Al-Albiri, Abu Al-Qasim As-Sabti, Abu 'Abdullah At-Tilmisani, Abu 'Abdullah Al-Maqri, Ibn Marzuq Al-Jad, Abu 'Ali: Mansur Ibn Muhammad, Abu 'Abdullah Al-Balensi, Abu 'Al-'Abbas Al-Qabbab, and others.

He entered into many discussions with many of his contemporaries from among the scholars and Imams, he had a long experience and attained the precedence over a lot of them. His researches and investigations included many scientific fields and religious branches.

He discussed the idea of Sufism in a very practical method. In his book "Al-Muwafaqat", he studied many questions thoroughly, and scrutinized a lot of ideas, such as the consideration of difference among the various juristic schools of Fiqh.

He composed many books, including:

- 1- An explanation of Al-Khulasah in four volumes: (unpublished).
- 2- Kitab Al-Muwafaqat in Usul Ash-Shari'ah, the greatest and the most reliable in this respect: (published).
- 3- Kitab Al-Majalis, an explanation of Al-Bukhari's Book of Sales: (unpublished).
- 4- Kitab Al-Ifadat Wal-Insha'at and it includes many literary, prosaic and poetic compositions: (unpublished).
- 5- Kitab 'Unwan Al-Ittifaq Fi 'Ilm Al-Ishtiqaq, said to have been damaged during his lifetime, and his contemporaries got benefit from it: (unpublished).
- 6- Kitab Usul An-Nahw, said to have been damaged during his lifetime: (unpublished).

Ash-Shatibi "may Allah have mercy upon him" had many pupils and disciples who became chiefs and leaders in religious and scientific fields. Among the most famous and the most important of them, a mention may be made of the great learned scholar, Abu Yahya Ibn 'Asim Ash-Shahir, Abu Bakr Ibn 'Asim Al-Qadi, Abu 'Abdullah Al-Bayani, and others.

He died in Ghirnatah, on Tuesday, Sha'ban, 790 H. ⁽¹⁾

(1) Durrat Al-Jamal Fi Asma' Ar-Rijal, known as Thail Wafiyyat Al-A'yan 1:182; Shajarat An-Nur, 1:231; Nail Al-Ibtihaj, 46:50.

As for our book, Kitab Al-I'tisam, it seems that Ash-Shatibi “may Allah have mercy upon him” composed it for his disciples and the scholars and students of knowledge, rather than for the laymen and commons among the people. He underwent great difficulties to achieve this glorious task.

The book is indeed a scientific encyclopedia, which includes a lot of benefits and unique issues, which make its holder and carrier dispense with anything else, in residence as well as on journey.

He prefaced the book with a wonderful and concentrated introduction, in which he talked about the alienation of Islam, and the emergence and spread of the religious innovations, which motivated him to write his book, in the hope it would benefit the Muslims in the world and the hereafter.

He divided the book into ten sections, each including many chapters as required by context and in-depth explanation of the issues:

- 1- Definition and meaning of religious innovation;
- 2- Condemnation of religious innovation, and the evil consequence of its men;
- 3- Condemnation of religious innovations in general, and all changes made in the religion, in which he discussed the malicious allegations of the religious innovators, and those of scholars who regard good or bad the religious innovations;
- 4- The approaches of religious innovators in attestation;
- 5- The real and additional religious innovations, and the difference between them;
- 6- The rulings of the religious innovations, which are not of the same rank;
- 7- The innovation, whether it pertains to the acts of worship in particular, or includes also the normal habits;
- 8- The difference between the benefits which were not specifically addressed with Islamic text, and the appreciation;
- 9- The reason for which the sects of religious innovators broke away from the established community of the Muslims;
- 10 - The straight path from which the religious innovators deviated.

In the name of Allah, the Most Gracious, the Most Merciful

PRELUDE

All perfect praise be to Allah, Who should be praised in whichever state, with Whose perfect praise everything of significance⁽¹⁾ should be opened. It is He Who created the creation as He pleased; and made it easy for them to do what they do according to His knowledge and will, rather than according to their own purposes for good and evil; and divided them (into two parties) consistent with both handfals⁽²⁾, where some of them (are doomed to be) wretched, and some happy⁽³⁾; and showed them both ways (of good and evil)⁽⁴⁾, where some of them are close (to good and far from evil) and others far (from good and close to evil); and gave them proportion and order to accept anyone of both enlightenments⁽⁵⁾, where some are pious and others wicked; and determined sustenance among them with justice⁽⁶⁾ so that they would lie between two extremities: some are poor and others are. Each of them follows his own course, which he could not go beyond. Where all of them

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- (1) He refers to the Hadith narrated on the authority of Abu Hurairah that he said: The Messenger of Allah "Allah's blessing and peace be upon him" said: "Every speech which does not start with "Praise be to Allah" is cut off (i.e. is deprived of blessing)." [Abu Dawud Hadith no. 4840; Ibn Majah Hadith no. 1894; Ahmad in his Musnad 2:359].
 - (2) It is narrated on the authority of Abu Nadrah from one of the Companions of The Messenger of Allah "peace be upon him" that his friends came to visit him and inquire about his health, but found him weeping. They asked him: "What causes you to weep? Did The Messenger of Allah "peace be upon him" not say to you: "Take (and cut off such and such) of your mustache and keep your beard grow (as it is) until you meet me?" he said: "Yes (he told me so). But I heard The Messenger of Allah "peace be upon him" having said: "No doubt, Allah Almighty Took a handful (from His creation) with His Right Hand, and another with the other Hand and then said: "This (with the Right Hand) will be for this (Paradise), and that (with the other Hand) will be for that (Hell-fire)." However, I do not know in which one of both handfals I am." [Ahmad and others: Majma' Az-Zawa'id].
 - (3) He refers to the authentic Hadith about the fate narrated on the authority of 'Ali Ibn Abu Talib that The Messenger of Allah "peace be upon him" said: "There is none among you, but has a place either in Paradise or in Hell assigned for him." They said: "O Allah's Apostle! Should we not depend on what has been written for us and leave the deeds?" The Prophet "peace be upon him" said: "Everyone is directed to find it easy to do what leads to his destiny." Then he recited the Verses: {So he who gives (in Charity) and fears (Allah), And (in all sincerity) testifies to the Best, We will indeed make smooth for him the path to Bliss. But he who is a greedy miser and thinks himself Self-Sufficient, And gives the lie to the Best, We will indeed make smooth for him the Path to Misery.} [Al-Lail 5-10] [Al-Bukhari Hadith no. 4949].
 - (4) He means: {And shown him the two highways?} [Al-Balad 10].
 - (5) He refers to the statement of Allah Almighty: {By the Soul, and the proportion and order given to it; And its enlightenment as to its wrong and its right.} [Ash-Shams 7-8].
 - (6) He refers to Allah's statement: {For We do determine (according to need); for We are the Best to determine (things).} [Al-Mursalat 23].

gather together to fill a certain gap or even cancel out a predetermined judgment, by no means would they be able to do so. That is because they could be neither liberated nor separated from His restrictions upon them: **{Whatever beings there are in the heavens and the earth do prostrate themselves to Allah (acknowledging subjection) - with good-will or in spite of themselves - so do their shadows in the mornings and evenings.}** [Ar-Ra'd 15]

May Allah send blessing and peace upon our chief and master, Muhammad, sallallahu 'alayhi wa sallam, the Prophet of mercy and the remover of distress, whose Shari'ah abrogated all the previous religions, and call included all people and nations, in such a way as left no valid argument other than his and no straight way other than his correct path. It (his Shari'ah) has encompassed, underneath its wisdom, all things in matchless harmony, in a way that left no dispute or difference among the people. The one who then follows its way will be regarded of the saved sect, and the one who deviates from its path will be included in the negligent or even excessive sects. May Allah send blessing and peace upon him, his family, and his Companions, who were guided by his illuminating sun, traced his prominent footsteps and (sought right direction through) his lights which were as clear as the midday, and, with their strong hands and tongues, put a separation between the righteous and the wicked souls, and between the far-reaching and the pointless arguments.

May Allah send blessing and peace also upon those who followed their way, and belonged to this assembly (of believers).

To go further: let me, O loyal friend and well-chosen servant, remind you, in this introduction before getting to the topic about the meaning of the statement of The Messenger of Allah "peace be upon him": "Islam started as a stranger⁽¹⁾ and it will return to be as a stranger (as it started in view of the scarcity of such as act upon it): so, blessed be the strangers (who act upon it)." It was said: "Who are those strangers O Messenger of Allah?" he said: "those who make amends at the time when people will cause mischief (on earth)."⁽²⁾

According to another narration, they asked: "Whose are those strangers O Messenger of Allah?" he said: "those who will be driven out of their homeland (in order to establish the ceremonies of Islam, and give life to its ways)."⁽³⁾

According to another narration, The Messenger of Allah "peace be upon him" said: "Islam started as a stranger, and the Hour (of Judgment) will not be established until Islam will return as a stranger just as it started. So, blessed be the strangers when the people become mischievous (where those will be

(1) That is the interpretation of An-Nawawi, in his Sharh on Sahih Muslim [2:176].

(2) 'Abdullah Ibn Mas'ud and Sahl Ibn Sa'd As-Sa'idi by At-Tabarani in Al-Awsat [Majma' Az-Zawa'id].

(3) 'Abdullah Ibn Mas'ud by Ibn Majah.

righteous and this is why they will seem strangers)." ⁽¹⁾

The same is narrated on the authority of Ibn Wahb in which The Messenger of Allah "peace be upon him" said: "Blessed be the strangers who will abide by the Book of Allah Almighty (the Qur'an) when it will be abandoned (by most people), and act upon the Prophetic Sunnah when it will be extinguished (by the majority)." ⁽²⁾

According to another narration, The Messenger of Allah "peace be upon him" said: "Islam started as a stranger, and will return to be as a stranger as it started: so, blessed be the strangers." They asked: "How will it become a stranger O Messenger of Allah?" he said: "Just as it is said to a man in such and such a family: "He is a stranger." ⁽³⁾

According to another narration, when he "peace be upon him" was asked about those strangers, he said: " those who will revive such acts of my Sunnah as the people abandon it ." ⁽⁴⁾

It refers, as far as its strangeness is concerned, to what appeared evident in the beginning and end of Islam ; therefore, Allah Almighty sent Muhammad "peace be upon him" after a break in (the series of) Messengers, in the pre-Islamic days of dark ignorance, when they neither did learn the truth, nor did they establish their judgment on it. But they rather embraced the same ways on which they found their forefathers and were appreciated by their predecessors, in regard with the deviant opinions, invented cults and fabricated doctrines. When The Messenger of Allah "peace be upon him" stood among them **{as a Witness, a Bearer of Glad Tidings, and a Warner, And as one who invites to Allah's (Grace) by His leave, and as a Lamp spreading Light}** [Al-Ahzab 46-47], they soon faced his favor with denial, changed the truth of his call with their slanders, attributed everything impossible to him, since he disagreed with their way and opposed their cult, and charged him with all kinds of slander: once, they accused him of telling lies, given that he is the trustworthy truthful and truly inspired, whom they never found lying; and once they accused him of sorcery, although they knew well that he was never of its men or claimants; and once they accused him of madness, in spite of their certainty that he was whole-minded, and was not under the influence of, nor possessed by Jinns and Satans.

Thus, whenever he called them to worship Allah Alone Who is worthy of worship, they said: **{"Has he made the gods (all) into one God? Truly this is a wonderful thing!"}** [Sad 5] they said so although they acknowledged the correctness of this true call: " Now if they embark on a boat they call on

(1) Salim Ibn 'Abdullah (Ibn 'Umar). [Kitab Al-Bida': Ibn Waddah].

(2) Abu Bakr Al-Mu'afiri. [Kitab Al-Bida': Ibn Waddah].

(3) It is narrated on the authority of Al-Hasan [Kitab Al-Bida': Ibn Waddah].

(4) This Hadith is mentioned in "Kitab Ta'wil Mukhtalif Al-Hadith", but without Isnad.

Allah, making their devotion sincerely (and exclusively) to Him” {**Al-Ankabut,65**}.

Also, whenever he warned them of the onslaught of the Day of Judgment, they soon denied the evidences they witnessed which indicated to its possibility, and rather said: **{“What! When we die and become dust, (shall we live again?) That is a (sort of) Return far (from our understanding).”}** [Qaf 3]

Moreover, whenever he threatened them of the wrath of Allah Almighty, **{they said: “O Allah! If this is indeed the Truth from You, rain down on us a shower of stones from the sky, or send us a grievous Penalty.”}** [Al-Anfal 32] they indeed said so in objection to the truth of what he had told them, which would inevitably take place.

Again, whenever he brought a miracle or a supernatural event to them, they divided, in their error, into many sects, and fabricated about it, just out of obstinacy, what is beyond the reason of those who differentiate between the right and the false.

They did so in order to make others emulate them, and follow their adapted ways, seeing any disagreement with them on their falsehood a kind of rejection and refutation of what they embraced and thought to be right. They believed, even though with no grounds, that the disagreement should weaken confidence and deface what is good, especially when they strove their utmost in defense of their case, and found no support other than the emulation of their forefathers.

This is what Allah Almighty told about the people of Abraham “peace be upon him” when he argued them saying: **{“What worship you?” They said: “We worship idols, and we remain constantly in attendance on them.” He said: “Do they listen to you when you call (on them), or do you good or harm?” They said: “Nay, but we found our fathers doing thus (what we do).”}** [Ash-Shu‘ara’ 70-74]

They thus deviated, as you see, from the incisive answer required by the question, to stick only to the emulation of their forefathers, as Allah Almighty told about them saying: **{What! have We given them a Book before this, to which they are holding fast? Nay! They say: “We found our fathers following a certain religion, and we do guide ourselves by their footsteps.”}** [Az-Zukhruf 21-22]

Furthermore, They retracted from the answer they had to give to the question, and rather stuck to their imitation of their fathers, as shown in Allah's statement: **{He said: “What! Even if I brought you better guidance than that which you found your fathers following?” They said: “For us, we deny that you (prophets) are sent (on a mission at all).”}** [Az-Zukhruf 24]

The polytheists did so with The Prophet “peace be upon him”. They rejected what he brought, which they expected would deprive them of their benefits and interests, just because he broke their (wrong) habits and brought

things in opposition to their disbelief and error. They wanted him to make some concessions, which would lead, according to their alleged policy, to, at least, partial agreement and harmony even at some times, or in some cases, or over some points, with which they accepted to satisfy themselves from him, in order that, by his agreement, he would strengthen their weak structure. But The Messenger of Allah “peace be upon him” persisted in firmness on his true situation and correct position. So, Allah Almighty revealed: **{Say: O you who disbelieve! I worship not that which you worship, nor will you worship that which I worship. And I will not worship that which you have been wont to worship, nor will you worship that which I worship. To you be your Way, and to me mine.}** [Al-Kafirun 1-6]

At this point, they became hostile to him, and boycotted him so much entirely that almost all the people became enemies of him: the intimate friend and companion turned against him like a painful torment, and the closest to him in relation, such as Abu Jahl, became the farthest from taking him an ally, and the closest to him in kinship became the most heart-hardened upon him. Which alienation then is as severe as this?

Indeed, Allah neither entrust him to his own self, nor invested them with authority to harm him. On the contrary, He protected and safeguarded him, and cared for him, until he conveyed the message of his Lord Almighty.

Then, the Divine law, while being revealed and sent down from heaven, increasingly widened the space between its followers and the disbelievers, and put the decisive limits to separate between the truth that is in it and their (disbelievers' false) innovations. It did so with wonderful wisdom, that it attributed its rulings and judgments to the great men of the religion in its first origin, as shown in the attribution of the Arabs to their father Abraham “peace be upon him” and of the non-Arabs to their Prophets who were sent to them. Take, for instance, Allah's saying, addressing His prophet Muhammad, after a mention of many Prophets: **{those were the (prophets) who received Allah's guidance: follow the guidance they received.}** [Al-An'am 90] He further said: **{The same religion has He established for you as that which He enjoined on Noah - that which We have sent by inspiration to you - and that which We enjoined on Abraham, Moses, and Jesus: namely, that you should remain steadfast in Religion, and make no divisions therein: to those who worship other things than Allah, hard is the (way) to which you call them.}** [Ash-Shura 13]

The Messenger of Allah “peace be upon him” continued to invite the people to it (Islamic Shari'ah) and they came to (and accepted it from) him one after another in secrecy, lest they would irritate the enmity of the disbelievers against the call to Islam, who, at that time, were prevailing. Thus, when they learnt about the opposition, they disdained it, and got on their nerves. Among the new converts to Islam, were those who took shelter in a tribe, which protected him, regardless of his new religion, or by way of averting shame in

case of showing disrespect for the right of protection; and those who ran away from harm and for fear of being put to trial in the religion, and immigrated to Allah, in love for Islam; and those who had no one to protect him, nor a shelter to take refuge to, thereupon, he received the severe harm, harshness or even killing in some cases as it is known.

The result was that some of them slipped, under compulsion, just to claim agreement with them, and others remained patiently steadfast hoping for the reward of Allah Almighty . Then, Allah Almighty revealed the concession to utter the word of disbelief (if one was put under coercion)⁽¹⁾ , just to claim outward agreement with them, so that this agreement between them and the utter would remove the opposition. Some of them submitted to it, just by way of precaution, in order to relieve themselves of discomfort, whereas their hearts remaining firm with faith.

This was, to be sure, an apparent alienation. However, this goes back to their ignorance of the points of wisdom, and of the fact that what was brought to them by their Prophet was indeed the truth in opposition to the falsehood on which they were. It is a well-known fact that one always is hostile to that of which he is ignorant. Had they known that it was the truth, they would have agreed rather than disputed with it. But the people always are inevitably predestined to do what they are doing, as confirmed by Allah Almighty: **{but they will not cease to dispute, except those on whom your Lord has bestowed His Mercy.}** [Hud 118-119]

Islam then continued to be stronger (and its followers increasing in number), and its way more straight during the lifetime of The Messenger of Allah "peace be upon him", and then after his death, to the most part of the generation of the Companions "Allah be pleased with them", until some started to break the rules of the Prophetic tradition and incline to such misleading religious innovations as that of the anti-fatalism (who deny the fate), and that of Al-Khawarij⁽²⁾ ; and it is this of which the Hadith warned: "They will kill the Muslims but will let alive the idolaters. They will recite the Qur'an but the Qur'an will not go beyond their throats" because they will recite without understanding or acting on it.⁽³⁾ This will be clarified in the Hadith narrated on the authority of Ibn 'Umar to come later Allah willing. This took place at the end of the era of the Companions "Allah be pleased with them".

Then, the sects (of falsehood) increased gradually, in confirmation of the prediction of the true and the truly inspired, The Messenger of Allah "peace be

(1) He refers to the statement of Allah: {Anyone who, after accepting Faith in Allah, utters disbelief, - except under compulsion, his heart remaining firm in Faith.} [An-Nahl 106].

(2) A deviant sect who rebelled against 'Ali Ibn Abu Talib "Allah be pleased with him" and adopted radical beliefs like considering the Muslim who commits a major grave sin as a disbeliever.

(3) Abu Sa'eed Al-Khudri. [Sahih Muslim, Hadith no. 1064; Abu Dawud, Hadith no. 4764, 4765; and Al-Bukhari, Hadith no. 3414].

upon him", in his statement: "The Jews were divided into seventy-one sects; and so were the Christians; and my (Muslim) ummah will be divided into seventy-three sects (all of them will be in fire except for one)."⁽¹⁾

The Messenger of Allah "peace be upon him" further said in another Hadith: "Verily, you will imitate the conventions of the previous nations very closely, span by span, and cubit by cubit; and even if they entered into a hole of a lizard, you would follow them." We said: "O Messenger of Allah! Do you mean The Jews and The Christians?" The Prophet "peace be upon him" said: "Who else?"⁽²⁾ This Hadith is more general than the former, since the former, in the sight of a lot of scholars, signifies those of inclination in particular, whereas the latter is common to all violations of Shari'ah, as attested from his saying: "and even if they entered into a hole of a lizard, you would follow them."

As a matter of fact, every violator is apt to invite others to his violation, since the people are predisposed, by nature, to imitate each other in deeds and doctrines, because of which the violation of a violator, the agreement of a proponent, and enmity and hatred for the opponents take place.

As strong and firm as it was, Islam, during its early age, resisted and emerged victorious (over oppositions and violations), its men were prevailing, and its majority the greatest from among all the peoples. Thus, it was not alien due to the great number of its supporting devotees and patrons. Neither those who did not follow it, nor those who followed it but made religious innovations in it were influential enough to weaken the prosperous party of Allah. In this way, it went on its straightness, gathering and harmony, in which the eccentric was oppressed and persecuted.

By time, its gathering started to disintegrate as promised, their power to weaken as expected, the eccentric to be stronger and more influential, and its people greater in number; and agreement was required by the mystery of imitation. Assuredly, the majority should prevail. For this reason, inclinations and religious innovations started to overrun the majority of Sunnah followers, and most of them were divided into factions.

That is indeed the establish norm of Allah in the creation: that is, the men of truth are always few, in number, in comparison with those of falsehood, as confirmed by Allah Almighty: **{Yet no faith will the greater part of mankind have, however ardently you do desire it.}** [Yusuf 103] He further

(1) Abu Hurairah. [Abu Dawud, Hadith no. 4596 and 4597 on the authority of Mu'awiyah; At-Tirmithi, Hadith no. 642; Ahmad 2:332, and on the authority of Anas, 3:120; Ibn Majah, Hadith no. 3991, 3992; 'Abd-Ar-Razzaq in his Musannaf, 10:156; At-Tabarani in Al-Awsat on the authority of Anas, 1:209-210, Hadith no. 1052, 1053, 1054, 1055, 1056, 1057; Ibn Hibban and Al-Hakim who rendered it authentic: see Kashf Al-Khafa'].

(2) Abu Sa'eed Al-Khudri. [Al-Bukhari, Hadith no. 3456 and 7320, and on the authority of Abu Hurairah, Hadith no. 7319; Muslim Hadith no. 16[19]; Ibn Majah Hadith no. 3994; Ahmad in his Musnad 2:327, 450, 511, 527, 3:84, 89, 94].

said: **{but few of My servants are grateful!"}** [Saba 13]

Truly, Allah will fulfill the prophecy of His Prophet "peace be upon him", that is, Islam will return to be a stranger once again. Alienation of anything comes from the loss or scarcity of its men, when the approved will become disapproved, and the disapproved becomes approved, the act of Sunnah a religious innovation, and the religious innovation an act of Sunnah. Being so, the men of Sunnah will then be put to blame and harm, as the religious innovators had previously been, with the religious innovator's being covetous of having the word of falsehood gather together. But Allah Almighty rejects that it should not gather together until the Hour (of Judgment) will be established. This means that all the deviant sects, no matter how numerous they might be, will never gather together against the men of Sunnah in all points. The men of Sunnah will inevitably remain steadfast until the command of Allah Almighty will come.

But in view of their being exposed to the attack, harm, enmity and hatred of the religious innovators, in an attempt to gain their agreement, they will continue to be striving, disputing, combating and striking (against the religious innovators) during the approaches of the night and the ends of the day, thereby, Allah will multiply their abundant reward.

In conclusion, petitioning the opponents for agreement is not unique to a specific time or place. Whoever agrees then, in the sight of the petitioner, will be right, in whichever state he is, and whoever disagrees will be wrong; and whoever agrees will be praiseworthy and happy, and whoever disagrees will be dispraised and miserable; and whoever agrees will have followed the way of guidance, and whoever disagrees will have been lost in the ways of error and misguidance.

I have presented this introduction for something I am going to mention. Since my mind was open to understanding, and I began my endeavor to acquire knowledge, I, all perfect praise be to Allah, have persisted in studying its reasoning-based rules and Shari'ah-validated judgments, its principles and detail issues. I have not devoted myself to a certain field on the exclusion of another, as much as is permitted by the limits of time and place, and as much as lies within the capacity of my mental faculties. I have delved into it like a good swimmer in a very deep ocean, and stepped courageously towards it until I was about to be damaged at a certain point of its depth, and cut off my company, by virtue of sociability with whom I dared to do what was doomed to me to do, regardless of the criticism of a critic or the blame of a blamer.

I went on as such until (Allah) the Most Honored, the Most Compassionate, the Most Merciful, explained to me the meanings of Shari'ah though, I have never expected to get, and inspired to me the fact that the Book of Allah and the Sunnah of His Messenger "peace be upon him" left nothing more to say in the way of guidance; and that the religion has become perfect, and the great happiness lies in what has been set, and one should seek after

knowledge only within the limits of what has been validated, and anything beyond this is error, slander, fake and loss; and that whoever takes hold of it with one's own hands will have grasped the most trustworthy hanthold, and attained the entire good of both the world and the hereafter, and anything apart of this is but dreams, illusions and fancies.

Furthermore, the proof for the validity of this has been established to me, in such a way that arouses no doubt or suspicion. That is indeed by favor of Allah Almighty upon the people, even though most people are not grateful. All perfect praise and abundant gratitude be to Allah Almighty, as much as is fitting for His Majesty.

Taking from this, I have become strong enough to go on its way as much as was made easy by Allah for me therein, I have begun with the principles of religion, deed and belief, and then its detail issues corresponding to those principles. In the course of this process, I have clarified what belongs to the Sunnah distinct from what belongs to religious innovations, what is validated by Shari'ah distinct from what is not so, comparing this to the knowledge of the principles of religion and fundamentals of jurisprudence. I have obliged myself to follow the group which The Messenger of Allah "peace be upon him" called the greatest majority, describing the state on which he and his Companions were, and, at the same time, abandoned the religious innovations as defined by the various scholars.

I had already been a part of the public projects of oratory and imamate. When I wanted to follow a straight course on the way, I found myself a stranger among the public at that time, whose projects were prevailed by beneficial matters, and their genuine ways distorted by changes from outside – a thing which had not occurred in the early times – then, what do you think it to be in those days of ours? There are reports of notification about that, handed down from the righteous predecessors.

It is narrated on the authority of Abu Ad-Darda' ⁽¹⁾ "Allah be pleased with him" that he said: "Were The Messenger of Allah "peace be upon him" to appear to you now, he would not approve of anything of what he and his Companions used to do other than the prayer." Al-Awza'i ⁽²⁾ said: "Then, what should it be if he (Abu Ad-Darda') came in those days?" 'Isa Ibn Yunus ⁽³⁾ said: "Then, how should it be, were Al-Awza'i to catch this time?" ⁽⁴⁾

(1) Kitab Al-Ma'arif 268; At-Taqrīb 2:91; Al-Jarh Wat-Ta'dil, 7:26; Ash-Shatharat 1:39; Siyar A'lam An-Nubala', 2:235.

(2) Al-Ma'arif 496; At-Taqrīb, 1:493; Al-Mizan, 2:570; Tathkirat Al-Huffaz 1:178; Al-Jarh Wat-Ta'dil, 5:266.

(3) At-Taqrīb 2:103; Al-Jarh Wat-Ta'dil, 6:291; At-Tahthib, 8:212; Al-Mizan, 3:328; At-Tathkirah, 1:279.

(4) See Kitab Al-Bida' by Ibn Waddah, 1:169.

It is narrated on the authority of Umm Ad-Darda'⁽¹⁾ "Allah be pleased with her" that she said: Once, Abu Ad-Darda' entered upon me in a state of anger. I asked him: "What causes you to be angry O Abu Ad-Darda?" he said: "By Allah, I no longer recognize (and approve of) anything the people do now belonging to the matter (Islam) of Muhammad "peace be upon him" except that they all perform prayer."⁽²⁾

It is narrated on the authority of Anas Ibn Malik⁽³⁾ "Allah be pleased with him" that he said: "I no longer approve of anything you do which I used to know during the lifetime of The Messenger of Allah "peace be upon him" other than your testimony 'There is no one worthy of worship except for Allah'." They said: "certainly O Abu Hamzah!" he said: "You now delay your prayer until the sun sets: was this the prayer of The Messenger of Allah "peace be upon him"?"⁽⁴⁾

It is further narrated on the authority of Anas "Allah be pleased with him" that he said: "Had anyone caught the time of the first generation of the predecessors and had been raised today, he would not have known of anything belonging to Islam" putting his hand on his cheek "except for this prayer." Then he said: "By Allah, if one lives with those disapproved deeds without even catching the time of the righteous predecessors, seeing a religious innovator calling to his religious innovation, and a world advocate calling for (the material benefits of) his world, but Allah Almighty protects him, and instills within his heart the love for the righteous predecessors, thereupon he asks about their ways, traces their footsteps and follows their method, he will be given a great reward. So, you should be like this, Allah willing."⁽⁵⁾

It is narrated on the authority of Maimun Ibn Muhran⁽⁶⁾ that he said: "Were a man from among the righteous predecessors to be raised among you, he would have known of nothing of what you do other than the Qiblah."

It is narrated on the authority of Sahl Ibn Malik⁽⁷⁾ from his father that he said: "I no longer know of anything which I saw the people (of the former generation) doing except for the call to prayer."

There are many other traditions in this connection, all of which indicate that the new changes in religion had already started to distort the acts validated by Shari'ah a long time before our age, and increased by time, till they were multiplied in our days.

(1) Siyar A'lam An-Nubala', 4:277; Tathkirat Al-Huffaz, 1:50; Tahthib At-Tahthib, 12:465.

(2) Sahih Al-Bukhari, Hadith no. 650.

(3) At-Taqrib, 1:84; Al-Jarh Wat-Ta'dil, 2:286; At-Tahthib, 1:376; Thiqat Ibn Hibban, 3:4; Al-Bidayah Wan-Nihayah, 9:94; Siyar A'lam An-Nubala' 3:395.

(4) Kitab Al-Bida' by Ibn Waddah 1:189; Al-Mustafid Fi Kufr Tarik At-Tawhid 1:30.

(5) This narration is ended with Al-Hasan Al-Basri rather than Anas. [see Mawsu'at Mu'allafat Muhammad Ibn 'Abd-Al-Wahhab 3:31; Al-Mustafid Fi Kufr Tarik At-Tawhid 1:31; Kitab Al-Bida' by Ibn Waddah 1:190].

(6) Tahthib At-Tahthib, 10:390; Shazarat Ath-Thahab, 1:154.

(7) Al-Jarh Wat-Ta'dil, 4:198; Shatharat Ath-Thahab, 1:99.

Being so, I had two opinions: one was to follow the Sunnah, which requires me to oppose the habits of the people; thereby, exposing myself to the same destiny of the opponents, putting into consideration the belief of the claimants of innovations that what they do and nothing else is the Sunnah itself. As heavy as the ensuing burden might be, its reward is abundant. The other opinion was to follow them, which requires me to oppose the true Sunnah and the ways of the righteous predecessors; thereby, I will go astray and seek refuge with Allah from error, then I will be a proponent rather than an opponent.

But even, I have concluded to the fact that destruction in following the Sunnah is the salvation, and in no way people would avail me from Allah even in the least. I then started to do so by degrees; thereupon, everyone stood against me, also I was given to harsh blame and severe rebuke, and attributed to religious innovations and error, and ascribed to ignorance and stupidity. However, were I to seek a way out of those new changes made in the religion, assuredly, I could find it. But I have obliged myself to a very difficult means of ascent, and a very narrow path beyond which I could not go. This apparently seems to indicate that following the imprecise, with the intention to agree with the habits of the people, is preferable than following what is clear, even if this should lead to oppose the early predecessors.

They; therefore, defaced my perspective, in a very disgusting and repulsive manner, also they ascribed me to some sects which deviate from the true Sunnah - a charge about which they will be questioned on the Day of Judgment. Once, I was attributed to those who claim that the supplication is useless, just because whenever I led the prayer, I was not committed to the congregational supplication after the prayer. I will explain later how this disagrees with the true Sunnah, the righteous predecessors and scholars.

Once, I was attributed to Rafidites⁽¹⁾ and the hatred of the Companions "Allah be pleased with them" just because I did not oblige myself to mention the rightly-guided caliphs in the Khutbahs in particular, although this was not the usage of the righteous predecessors in their Khutbahs, nor was it stipulated by anyone of the considerable religious scholars to be an integral part of the Khutbah. When Al-Usubgh⁽²⁾ was asked about the ruling on supplication of the Khutbah giver for the early caliphs, he said: "It is but a religious innovation, and one should not act upon it; and it is better for him to supplicate for all the Muslims in general." He was asked about the ruling on supplication for the fighters in the Cause of Allah; thereupon, he said:

(1) A sect of Shiites who make it permissible to slander the Companions. They were given such a name because their early men rejected Zaid Ibn 'Ali when he forbade them to criticize both Abu Bakr and 'Umar.

(2) Siyar A'lam An-Nubala', 13:202.

"There is no harm in it when it is necessary. But I dislike making it regular in his Khutbah." Izz Edine Ibn 'Abd-As-Salam⁽¹⁾ also stated that supplication for the early caliphs in the Khutbah is a blameworthy religious innovation.

Once it was attributed to me the opinion that it is permissible to challenge the rulers, just because I do not mention them in my Khutbah, and I do so only in imitation of the early generation in this issue.

Once I was described as a hair-splitter who puts people to difficulty in religion, just because I abide, in giving fatwas and obligations, only by the prominent opinion of the juristic school beyond which I do not go, unlike them, who exceed it as far as to give fatwas that make things easier upon the questioner and agree with his inclinations, regardless of being peculiar in this given juristic school or anyone else. Of course, that is opposed to the opinion of the leading religious scholars. This issues is discussed in the book *Al Muwafaqat*.

Once, it was attributed to me that I adopt an aggressive attitude towards the Awliya', just because I really have taken an aggressive attitude towards some poor religious innovators, who oppose the Sunnah and claim to guide the people, and talked to the public about some states of those who are attributed to Sufism and do not resemble the true Sufis in their conduct.

Once, it was attributed to me the opposition to the established community, under pretext that the established community we were ordered to follow, i.e. the community to be saved (from the Hell-fire), is that which assumes the ways on which the laymen are. But they seemed to forget that the established community is that which assumes the same ways adopted by The Messenger of Allah "peace be upon him" and his Companions, and those who follow them with good conduct (to the Day of Judgment). This will be explained, later, by Allah's strength and power.

It goes without saying that they have told lies, or given false impression about me in all of their claims against me; and all perfect praise be to Allah.

My state then resembled that of famous imam 'Abd-Ar-Rahman Ibn Battah with the men of his own time. He said about himself: "I wonder about my state in my journey and residence with the people, be they close to or far from me, approve of or disapprove of (my opinions). Most of those whom I met in Mecca and Khurafa and others invited me to agree with them, adopt their sayings and support their opinions. If I gave trust to the sayings and validated the opinions of anyone of them, as those of this time do now, he then would call me a proponent; and if I disagreed with him even on a letter of his statements or anyone of his deeds, he would call me an opponent. If I mentioned that the Book and the Sunnah disagree with it, he then would call me a religious eccentric; and if I related to him a Hadith about monotheism, he would call me a likening claimant; and if it was about vision, he would call me a

(1) *Al-Bidayah Wan-Nihayah*, 7:428.

Salimi⁽¹⁾; and if it was about faith, he would ascribe me to Murji'ah⁽²⁾; and if it was about deeds, he would call me Anti-Fatalist; and if it was about gnosis, he would call me a Kirami⁽³⁾; and if it was about the virtues of Abu Bakr and 'Umar "Allah be pleased with them" he would call me a Nasibi (Sunni); and if it was about the good merits of the Prophet's household, he would call me a Rafidite; and if I kept silent from the explanation of a certain Quranic Verse or a Hadith and rather gave answer depending upon them only, he would call me a Zhahiri⁽⁴⁾; and if I answered depending upon others than them, he would call me a Batinite⁽⁵⁾; and if I answered depending upon interpretation, he would call me an Ash 'rite⁽⁶⁾; and if I denied them, he would call me a Mu'tazilite⁽⁷⁾. They also would call me a follower of the Shafi'i, Hanafi, Hanbali or Maliki juristic school, if I gave preponderance to some opinions of any of them over the others, and even accuse me of slandering them. More amazing is that although they give me such names, if I agree with some of them, the others will soon assume an aggressive attitude towards me. But even, if I flatter their group, I will surely provoke the anger of Allah Almighty; and they will never avail me from Allah Almighty even in the least. So, I am sticking to the Book and the Sunnah, and I pray for forgiveness of Allah Almighty: He is the Most Forgiving, the Most Merciful."

He, May Allah have mercy upon him, seemed to have talked on behalf of all the scholars. The majority of famous scholars were charged with all or most of those things. That is because the opponent (of Sunnah) always follows his inclination. Moreover, the cause of deviating from the Sunnah is the ignorance of it, and the followed inclination that possesses these opponents. Being so, such an opponent will accuse the follower of Sunnah of being not following it, let alone his slandering him and defacing his sayings and opinions.

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- (1) Belonging to Abu Al-Hasan Ibn Salim and his followers, who claim the permanence of perception even before or after the occurrence of the Divine attribute of seeing and hearing.
 - (2) Those who believe that it is enough for a Muslim to believe in the Islamic creed without performing acts of worship, and no matter how much he sins he will still enter Paradise and will never be punished.
 - (3) Belonging to Ibn Kiram who alleges that faith is only declaration with the tongue, even without giving trust to it by heart.
 - (4) Belonging to Abu Hazm Azh-Zhahiri, who depends only on the apparent meaning of the holy texts, regardless of what is beyond it.
 - (5) Many deviant sects of Shiites who claim love for the Prophet's household, which they take as a veil to conceal their disbelief. They believe in the interpretation of the Holy texts inwardly in such a way as conforms their desires and inclinations.
 - (6) Followers of an ideology that was initially introduced by Abul-Hassan Al-Ash'ari which he himself later renounced. Their beliefs partially differ from those held by the followers of Sunnah, concerning the Names and Attributes of Allah. This sect only accepts seven of the attributes of Allah and strips the rest of them from their real meanings.
 - (7) A deviant sect whose deviation is basically a result of giving precedence to their own limited intellect over revealed text. So, they denied the attributes of Allah and had many other deviations.

It is reported from the chief of worshippers after the Companions, Uwais Al-Qarni⁽¹⁾ "may Allah have mercy upon him" that he said: "No doubt, enjoining right and forbidding wrong have left the believer with no friend. Whenever we enjoin right upon the people or forbid them to do wrong, they offense our honors, and find assistants from among the wicked to support them. They indeed charged me with the most hideous slanders. But by Allah, I will not cease to enjoin right upon them and forbid them to do evil."

From this point of view, Islam will return as a stranger just as it was, for its proponents in the early and right sense are very few, whereas the opponents have become the majority. The features of Sunnah have been obliterated, giving room for the religious innovations to spread, with the public's being unable to distinguish between them. That is, indeed, the confirmation of the authentic Hadith in issue.

Having disapproved of those (mistakes), and been guided by Allah Almighty (to the right), all perfect praise be to Allah, I started to pursue the religious innovations which The Messenger of Allah "peace be upon him" warned of as being errors and deviation from what is right, and some of which were pointed out and distinguished by the religious scholars, perchance I would remove them as much as lies within my capacity; and, at the same time, search for the acts of Sunnah which are about to be extinguished by those changes invented in the religion, perchance I would highlight them and be, on the Day of Judgment, enlisted among those who revived them. It is reported from the righteous predecessors that no religious innovation is made but that its matching act of Sunnah will die.

It is narrated on the authority of Ibn 'Abbas⁽²⁾ "Allah be pleased with them" that he said: "No year comes upon the people without making a religious innovation and causing an act of Sunnah to die, until (a time will come at which) the religious innovations will survive and the acts of Sunnah will die."⁽³⁾ According to another report: "No man makes a religious innovation without leaving an act of Sunnah, better than it."

It is narrated on the authority of Luqman Ibn Abu Idris Al-Khawlani that he used to say: "No people made a religious innovation but that an act of Sunnah would be taken away from them."

Hassan Ibn 'Atiyyah⁽⁴⁾ said: "No people made an innovation in their religion but that its matching act of Sunnah would be taken away by Allah Almighty from them, and never be restored to them once again until the Day of Judgment."⁽⁵⁾ There are many other sayings in this respect. Therefore, it is

(1) Siyar A'lam An-Nubala', 4:19; Ash-Shatharat, 1:46.

(2) Al-Ma'arif 123; At-Taqrif, 1:425.

(3) Kitab Al-Bida' by Ibn Waddaah 1:100].

(4) Al-Jarh Wat-Ta'dil, 3:236; Siyar A'lam An-Nubala', 5:466.

(5) This is narrated by Ibn Wahb on the authority of Al-Awza'i from Hassan Ibn 'Atiyyah =

visible and well-known among the people, as will be explained later, in Allah's will.

Furthermore, there are many Prophetic narrations in exhortation of reviving the acts of Sunnah. It is narrated by Ibn Wahb⁽¹⁾ that The Prophet "peace be upon him" said: "Whoever revives an act of my Sunnah that was (abandoned by the people and) caused to die after me, would have a reward like that of those who acted upon it, without reducing anything from the reward of the people; and whoever innovated a religious heresy, disapproved of by Allah and His Messenger, would have a sin like that of those who acted upon it, without reducing anything from the sins of the people."⁽²⁾ The same is narrated by At-Tirmithi with a slight variation of wording.⁽³⁾

It is narrated on the authority of Anas "Allah be pleased with him" that he said: The Prophet "peace be upon him" said to me: "O son! If, you could start your morning and end your night with no cheating in your heart for the people, you should be eager to do so." Then he said: "O son! That indeed is an act of my Sunnah; and whoever revives my Sunnah has indeed loved me; and whoever loves me will be with me in Paradise." [At-Tirmithi: Hasan⁽⁴⁾]

So, from this perspective, I wish I would be among those who revived an act of Sunnah, and caused a religious innovation to die. Across my long experience, I was able to gather many religious innovations and acts of Sunnah whose origins and roots have been decided by Shari'ah, and branches, though very long, based on those origins and roots, have not been arranged in the same order that has occurred to my mind. So, I was inclined to publicize them. I believe them to be sought by the people, in order that they would be able to distinguish the act of Sunnah from the religious innovation. That is because when the religious innovations increased in number, and their harm became public, and evil widespread, and the people acted upon them, and the later scholars abstained from disapproving of them, and there succeeded them some who ignored their duties concerning them, they became in the same position of the stipulated acts of Sunnah and valid law. In this way, the validated was mixed with that which is not, and the one returning to the true Sunnah became like the one deviating from it as we have already clarified. So, it was due on anyone endowed with knowledge in it to deal with it as it should be, given the shortage and insufficiency of compositions related to it specifically.

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[Kitab Al-Bida' by Ibn Waddah 1:94].

(1) At-Tathkirah, 1:304; Ash-Shatharat, 1:347.

(2) It is narrated on the authority of Kathir Ibn 'Abdullah Al-Muzni from his father from his grandfather. [Kitab Al-Bida' by Ibn Waddah 1:97].

(3) At-Tirmithi, Hadith no. 2818; Ibn Majah, Hadith no. 210.

(4) At-Tirmithi, Hadith no. 2819; Tuhfat Al-Ahwathi, 7:371.

Therefore, the one who undertakes this duty finds himself alone, with no assistant or friend to help him. The friend will fail to aid him because the wrong habits have become deep-rooted in the hearts, whereas the enemy will pick up his mistakes, in the hope of putting him to severe punishment, for he repels his deep-rooted habits, in the form of religion he worships Allah with, and Divine law he acts upon, with no supportive argument other than the imitation of fathers and grandfathers, along with some old men, regardless of being knowledgeable, who gave no importance to the fact that by their agreement, they opposed the method of the righteous predecessors.

The one who tackles this matters seems to adopt the same method of 'Umar Ibn 'Abd-Al-'Aziz⁽¹⁾, may Allah have mercy upon him, who said: "indeed, I deal with a matter in which there is no one to assist but Allah Almighty. It is for the sake of it that the old has got exhausted, the young has grown old, the non-Arab has become eloquent, and the desert dweller has immigrated, until they all considered it a true religion and nothing else is right."

The same applies to the matter we are going to talk about. But there is no way to neglect it. Anyone endowed with knowledge could not help publicizing it to the people but after attaining it to the best. There is no pretext to hate the opponent only because he raises the minaret of truth and discloses its lights to the people. It is narrated by Abu At-Tahir As-Salafi⁽²⁾ on the authority of Abu Hurairah⁽³⁾ "Allah be pleased with him" that The Messenger of Allah "peace be upon him" said to him: "O Abu Hurairah! Teach the Qur'an to the people and learn it yourself. If you die in this state, the angels will visit your grave (regularly) in the same way as the Ancient House (the Ka'bah) is visited. You should also teach my Sunnah to the people even though they dislike it. If you like to cross the Sirat (as quickly as) the eye twinkle until you enter Paradise, do not make any change in the religion of Allah just depending on your opinion."⁽⁴⁾

In his comment, Abu 'Abdullah Al-Qattan "may Allah have mercy upon him" said: "No doubt, Allah Almighty enabled him to get all of this. He taught the Book of Allah and narrated the Prophetic Sunnah, whether or not the people liked that, and made no change (in the religion) to the extent that he avoided interpreting anything of what he narrated, in order that he would be perfectly safe from falling in mistake."

It is narrated on the authority of Abu Al-'Arab At-Tamimi⁽⁵⁾ from Ibn

(1) Al-Ma'arif 362; At-Taqrīb, 2:59.

(2) Siyar A'lam An-Nubala' 21:5; Al-'Ibar, 4:227.

(3) Siyar A'lam An-Nubala' 2:578; Al-Bidayah Wan-Nihayah, 8:103.

(4) This Hadith is fabricated. [Sharh Al-'Aqidah At-Tahawīyah, revised by Al-Albani: 1:470; Talkhis Al-Mawdu'at, Ath-Thahabi 1:76].

(5) Tathkirat Al-Huffaz, 3:889; Siyar A'lam An-Nubala' 15:394.

Farrukh⁽¹⁾ that he sent to Malik Ibn Anas⁽²⁾ a message in which he told him that the religious innovations became prevalent in their territory and that he composed something in reply to them. Malik sent to him saying: "If you believe you are able to do so, then, I feel afraid you would slip and be ruined. No one should reply to them unless he is perfectly endued with what he is saying to them so much that they could find no fault with him. Being so, there is no harm. Otherwise, I feel afraid one might talk to them and fall in mistake, thereupon, they would go on that mistake, or they would find fault with him, and thus prevail and become more persistent in their religious innovations."

However, if this opinion requires the likes of me to refrain from, rather than go forward in this task, at the same time, that those disapproved things are common, with the people acting upon them extensively and popularly, encourages anyone fit for this position to go forward, rather than refrain from it. That is because the religious innovations have become public.

It is narrated by Ibn Waddah⁽³⁾ on the authority of more than one that Asad Ibn Musa⁽⁴⁾ wrote to Asad Ibn Al-Furat⁽⁵⁾ saying: "It should be known to you, my brother, that I have sent this message to you when I learnt how your city dwellers disapproved of the good you have done which Allah Almighty granted you: you indeed have been just to the people, revived many acts of Sunnah, criticized and dispraised the men of religious innovations; thereupon, Allah Almighty suppressed them through you, strengthened the men of Sunnah at your hands, and made you emerge victorious over the religious innovators, by highlighting their defects and criticizing their badness, because of which they were humiliated by Allah and disappeared with their religious innovations from the sight of the people.

So, my brother, receive the glad tidings of the reward of Allah for that, and regard it among the best of your deeds, including even prayer, fasting, Hajj and Jihad. How should those deeds be compared to the establishment of the (principles and laws of the) Book of Allah and revival of the Sunnah of His Prophet "peace be upon him"? The Messenger of Allah "peace be upon him" said: "Whoever revives anything of my Sunnah, I and he will be gathered in Paradise (as close to one another) as those" and joined both his fingers. He further said: "No advocate invites to this (my Sunnah), and the people follow him, but that he will have a reward like that of his followers until the Day of Judgment."

(1) Siyar A'lam An-Nubala', 6:89; Tathkirat Al-Huffaz, 1:157.

(2) At-Tathkirah, 1:407; Siyar A'lam An-Nubala', 8:48.

(3) Siyar A'lam An-Nubala', 13:445; Tathkirat Al-Huffaz, 2:646.

(4) Al-Jarh Wat-Ta'dil, 2:338; Tahthib At-Tahthib, 1:261.

(5) Siyar A'lam An-Nubala', 10:225; Wafiyat Al-A'yan, 3:182.

Who could attain this rank, O my brother, by anything of his deed? He said too: "For every religious innovation plotted against Islam, there is an ally of Allah Almighty to avert it, and highlight its signs." So, my brother, avail yourself of this bounty, and be one of its men. No doubt, The Messenger of Allah "peace be upon him" said to Mu'ath ⁽¹⁾ "Allah be pleased with him" when he sent him to Yemen: "That Allah Almighty guides even one person because of you, is better for you than such and such (good things)." ⁽²⁾ So, avail yourself of that, and keep inviting the people to the Sunnah, until a supporting group would be formed to take your position if something harmful attacked you, and become leading imams after you; thereby, you would have the reward for that until the Day of Judgment, according to what is reported from the tradition.

Act with insight and good intention, perchance Allah Almighty would repel, by means of you, the religious innovator, the tempted and the confused straying. By so doing, you would be a good successor of your Prophet "peace be upon him". so, establish the (principles and laws of the) Book of Allah, and revive the Sunnah of His Prophet "peace be upon him", for you will not meet Allah Almighty with a deed like it." ⁽³⁾

This, along with the words of 'Umar Ibn 'Abd-Al-'Aziz, may Allah have mercy upon him, encourages one to go forward in this task. He addressed the people saying: "By Allah, had it not been for the fact that I could revive an act of Sunnah that was (abandoned and) caused to die, and put an end to a religious innovation that is living among you, I would not have liked to live even a moment longer among you."

It is narrated on the authority of Al-Awza'i from Al-Hasan ⁽⁴⁾ "may Allah have mercy upon him" that he said: "There are still advisors sincere to Allah on earth, who review the deeds of the servants on the Book of Allah: if they agreed with it, they would praise Allah, and if they disagreed with it, they would point out, on the light of the Book of Allah, the error of him who went astray, and the guidance of him who was guided aright. Those are indeed the vicegerents of Allah on earth." It is also reported from Sufyan ⁽⁵⁾ that he said: "Follow the way of truth, and do not feel lonely in view of the scarcity of its men." [Ibn Waddah in Kitab Al-Qut'an]

I discussed the matter with some of my brothers, who are the closest to my heart; and they saw that this belongs to the work publication of which is required by Shari'ah, without suspicion, and that it is also among the most

(1) Siyar A'lam An-Nubala', 1:443; Al-Ma'arif, 254.

(2) Ahmad in his Musnad, 5:238, 333; Al-Bukhari, Hadith no. 2942, 3009, 3701, 4210.

(3) :Kitab Al-Bida', Ibn Waddah: 1:8.

(4) Siyar A'lam An-Nubala', 4:563; Al-Ma'arif 440.

(5) Siyar A'lam An-Nubala', 8:454; Al-Ma'arif 506.

obligatory duties at that time. So, I sought the guidance of Allah Almighty to compose a book to clarify the religious innovations and their rulings, along with the related issues concerning the principles and branches, and called it "Kitab Al-I'tisam" (Holding Fast by the Book and Sunnah). I ask Allah Almighty to make it a sincere deed for the sake of His Countenance, the shade of its benefit extended rather than contracted, and the reward for suffering in it complete rather than deficient; and there is neither strength nor power save in Allah, the Most High, the Most Grand.

I have divided it, according to the intended purpose, into many chapters, each including many sections, as required by the given issue and the explication of its related branches.

1.DEFINITION OF RELIGIOUS INNOVATION

The religious innovation (whose Arabic equivalent is "Bid'ah") is derived from "to innovate", i.e. to originate a thing with no previous example. Consider Allah's statement: **{The Originator of the heavens and the earth.}** [Al-Baqarah 117] He further said: **{Say (O Muhammad) "I am not a new thing among the Messengers."}** [Al-Ahqaf 9] that is, I am not the first Messenger to be sent with a message from Allah to the people, but many were the Messengers who had been sent before me. When one is said to have innovated a certain way, it means that he has preceded all the people to invent it matchlessly. When a particular thing is described as innovative, it refers to its being matchless in goodness and unprecedented by anything like or similar to it.

Taking from this, to make an innovation then is to invent a new behavior, and the act resulting from it is called innovation. Thus, the deed for which there is no supportive proof in the Shari'ah is called a religious innovation. The term with this concept is indeed more specific than it is in language, as will be seen later, by strength and power of Allah.

According to the science of the fundamentals of religion, the rulings pertaining to the acts of the people in word and deed are of three divisions: a ruling required by the command, be it obligatory or recommended; a ruling required by forbiddance, be it unfavorable or prohibited; and a ruling required by giving the freedom of choice, in reference to the permissible. The deeds and words of the people then do not go beyond those three divisions: what should be done, what should be left, and what is permissible to be done or left. What should be left goes back to its opposition to the last two divisions, and it is of two kinds:

The first is that to be left and forbidden, as being opposed in its own right, apart from anything else. If it is prohibited, then it will be called a sin, and its perpetrator a sinner. But by no means would it be called permissible, for to combine both the permissible and the forbidden is indeed to combine two opposites.

The other is that to be left and forbidden for its being opposed to the apparent legislation, in regard with setting limits, determining conditions and abiding by certain conditions and times regularly.

That is indeed the religious innovation, and its perpetrator a religious innovator. The religious innovation, in this meaning, is an invented way in religion, to imitate what is ordained by Shari'ah, intended thereby to exceed the due limits in the worship of Allah. That concept is held by one who does not include the habits under the religious innovation. But those who extend the

term to include the habits and behaviors, the religious innovation, in their view, is an invented way in religion, to imitate what is ordained by Shari'ah, intended, by acting upon it, to perform the same role of the valid.

Let us discuss this definition in more detail as follows:

In order to be called a religious innovation, this way should be invented in religion, for the invention of anything belonging to the world, like the new industries and towns which had not already existed in the past, are not religious innovations.

On the other hand, the ways in religion are divided into two: those which have a fundamental root in the Shari'ah, and those which have not. What is intended by the definition are those which have no grounds in the Shari'ah. I mean the invented way, which was innovated with no previous example to follow, made by the lawgiver (Allah or the Prophet). What characterizes the religious innovation is its being inconsistent with the ordinance set by the lawgiver. It is within the limits of this restriction that it differs from what seems, at the first glance, to be inventions related to religion, such as the sciences of grammar, morphology, vocabulary, fundamentals of jurisprudence, principles of religion, and all the other sciences which serve the religion.

Although those sciences did not exist in the first generation of Islam, their origins could be found in the Shari'ah. The command to put the words of the Qur'an to declension is reported (from the tradition). All sciences included under linguistics guide to the right understanding of the Book and the Sunnah. Their real nature then is the understanding of worship with the Shari'ah-approved words indicative to their meanings in terms of the way they are learnt and performed.

The science of the fundamentals of jurisprudence is to deduce the universal proofs and evidences in order to be at the hand of the scholar, and within the reach of the student. The same applies to the fundamentals of religion, i.e. the scholastic theology, which is to establish the evidences and proofs of the Qur'an and Sunnah, and their related issues in monotheism, parallel to the science of the fundamentals of jurisprudence, which is to establish their evidences and proofs concerning the branches of worship.

But it may be said that their classification in this way is invented.

In a reply to that, let me say that in the Shari'ah, there is a fundamental root for it, as attested from the Hadith. Therefore, if it is admitted that there is no proof in support of that specificity, the Shari'ah, as a whole, indicates to its significance, under the rule of consideration of Public Interest in matters that were not specifically addressed by Islamic texts, which we shall explain in detail later, by strength of Allah.

In case of affirming a fundamental root for those sciences in Shari'ah, there is no problem that any science which serves the Sharia, and is related to its proofs and evidences, taken from more than a specific is not a religious innovation. But in case of negating them, this requires that those sciences

should be religious innovations; and anything described as a religious innovation is bad, since every religious innovation is an error, without problem, as will be shown later, by Allah's will.

But this leads to the claim that writing the Mus'haf and collecting the Holy Qur'an is a religious innovation; and it goes without saying that this claim is false, by consensus. It is then not a religious innovation. Being not a religious innovation needs a Shari'ah-based evidence; and there is no evidence other than the attestation taken from the Shari'ah in general. Additionally, to affirm a certain public benefit which have not been addressed by a Quranic or Prophetic text, means to affirm all such public benefits. Consequently, we should not describe as a religious innovation any of such sciences as grammar, linguistics, fundamentals of jurisprudence, principles of religion, and the like of them, which serve the Shari'ah.

Whoever called them as such did so, either by way of allegory, as 'Umar Ibn Al-Khattab "Allah be pleased with him" called the people's standing at night (in prayer) during the nights of Ramadan a religious innovation; or as a result of ignorance of the difference between the acts of Sunnah and the religious innovations, in which case his saying is of no significance at all.

Although this way is intended to imitate what is ordained by Shari'ah, it is invalid and inconsistent with it. It is opposed to it from various points:

Those include putting the limits, such as to fast, in fulfillment of a vow, as standing rather than sitting, and underneath the sun rather than the shade; to focus on a particular worship; to be exclusive to certain kinds of food and clothes: all of which with no just cause.

They also include to abide by certain conditions and settings, such as to make it compulsory to remember Allah Almighty on one voice in congregation; to take the birth day of The Messenger of Allah "peace be upon him" as an 'Eid (festival); or likewise.

They include to abide by a certain worship at a particular point of time which was not assigned to it in Shari'ah, such as to make it binding to fast the middle day of Sha'ban, and stand at night (in prayer); and so ⁽¹⁾.

There are several points in which the religious innovation resembles what is validated by Shari'ah, for in the absence of that resemblance, it will become an ordinary act rather than a religious innovation. Furthermore, the religious innovator invents his innovation to imitate the Sunnah, so that the people would be confused about it, or it would become indistinguishable from the Sunnah. Man, by nature, does not seek to have others follow him in a point that is not similar to the legal, for he would neither get benefit nor avert harm by it, and no one else would respond to him concerning it.

(1) All Hadiths narrated in this issue are fabricated, and have no reference in the Sunnah. See Al-La'ali' Al-Masnu'ah Fi Al-Ahadith Al-Mawdu'ah, As-Suyuti, 2:31; Al-Fawa'id Al-Majmu'ah Fi Al-Ahadith Al-Mawdu'ah, Ash-Shawkani, 50.

For this reason, the religious innovator always defends his religious innovation with things that give a false impression that it belongs to Shari'ah, even if he is to claim the imitation of so and so, recognized for his high rank among the men of good. For example, when the Arabs, during the pre-Islamic days, wanted to change the religion of Abraham "peace be upon him", they interpreted the change they made in support of their argument, saying about polytheism (as told by Allah): **"We worship them only that they may bring us near to Allah."** [Az-Zumar 3] when the Hums (a title for which the Quraish were famous) did not stand at 'Arafah, they said: "We do not get out of the Sanctuary, in respect for its sanctity." When they performed Tawaf round the House as naked, they argued: "We never perform Tawaf in clothes in which we disobeyed Allah."

There are many things, which they twisted to make it like what is validated by Shari'ah. Then what do you think about those who consider themselves among the elite of the religion? They are more entitled to do so. Although they are mistaken, they think themselves to be right. Being so, it seems then that resembling the legal matters is necessary for the definition to meet the religious innovation.

That it is intended by acting upon it to exceed the due bounds in the worship of Allah Almighty makes perfect the meaning of the religious innovation, since it is only this goal which is meant by legislating it. It is made, initially, to encourage and exhort one to devote himself to the worship, in response to the statement of Allah Almighty: **{And I (Allah) created not the jinn and mankind except that they should worship Me (Alone).}** [Ath-Thariyat 56] The religious innovator seemed to have thought that he intended only this meaning (by his religious innovation). But at the same time, he failed to see that the limits and laws stipulated by the lawgiver are sufficient, thereupon he saw it better to put regulating laws and linking conditions to the absolute and unrestricted matters, not to mention what the people have of the love for prominence. It is from this context that the aberration of religious innovations originated.

On the other hand, the souls may get tired of persistence in a certain act of worship they used to do routinely, and once something new is invented for them, they will refresh with a new energy they did not have with the old act of worship. That is the significance of their saying: "Everything new has its own pleasure." That is similar to the statement that "As well as new judgments take place as much as the people commit immorality and wickedness, the people also gain new desires for good as much as they stick to lassitude."

It is narrated on the authority of Mu'ath Ibn Jabal "Allah be pleased with him" that he said: "Then, a man will be about to say: "No one will follow me: what is the matter with them, they do not follow me and I recite the Qur'an? They seem not to follow me until I will invent for them one another than this." So, beware of what is invented, for any religious innovation is indeed an

error."⁽¹⁾

It seemed clear then, under such restriction, that what is invented concerning the habits and usages are not included in the religious innovations. Furthermore, any way invented in religion, mimic of what is validated by Shari'ah, not intended thereby to worship, is also not included under the term of the religious innovations. Take, for example, the taxes imposed on the property in accordance with specific ratios and amounts, like the Zakat, for which there is no dire necessity; also using sifters and washing the hand with the soap, and such matters which did not exist in the past: they are not religious innovations, according to one concept.

The other concept of the religious innovation is more extensive, as it includes the habits and usages. According to it, the Divine law came to serve the benefits of the servants in the world and the hereafter, in order to realize them in both abodes to the best; and it is that which the religious innovator intends with his religious innovation. The religious innovation pertains either to the habits or to the acts of worship. In case of the acts of worship, he intends thereby to worship Allah to the utmost, as he pretends, in order to attain the highest rank in the hereafter, as he claims. The same is true in case it pertains to the habits and usages, for his intention of inventing the religious innovation, as he alleges, is to have the affairs of his world realize the benefits as best as it could be.

Whoever includes the sifters in the religious innovations seems to see that the pleasure of the sifted flour is more perfect than that of the no one sifted; and the same applies to the various constructed buildings, the pleasure of which is more perfect than that of the dumpsites and their similar; and the taxes imposed on the property by the men in power, on the basis of the permissibility held by Shari'ah of more extensive dispensations.

I think now that the meaning of the religious innovation in Sharia has become clear, all perfect praise be to Allah.

(1) This narration is very short. The narration in full goes as follows: "No doubt, Allah Almighty is a Just Ruler. Blessed and Hallowed be His Name. let the doubtful be ruined! A time will come where the people will be encircled by so many temptations, in which the money will increase abundantly, and the Qur'an will be available to the people so much that it will be learnt by (everyone be it) a man or a woman, a free or a slave, a young or an old; and a man will be about to say: "I have recited the Qur'an: then, what is the matter with the people that they do not follow me although I have recited the Qur'an? They then will not follow me until I invent one another than it." So, beware of what is invented like this, since every religious innovation is an error." [Al-Ibanah Al-Kubra, Ibn Battah 1:154].

1.1. A Chapter On Further Discussion Of The Term

That the religious innovation is an invented way in religion intended thereby to worship to the utmost or realize the benefits to the best, includes two kinds: the religious innovations by way of leaving something, and the religious innovations by doing something. As far as leaving is concerned, anything may be left whether or not by prohibiting it for oneself. In other words, one may prohibit something for himself, which is rendered lawful by Shari'ah, or leave it but without prohibition.

Being so, if leaving it is justifiable under Shari'ah, there will be no harm in it. That is because one has left something which is permissible to leave, or he is required to leave. A typical example is the one who leaves a certain kind of food because it harms him physically, mentally or religiously, in which case, there is no impediment, under Shari'ah, to leave it. As well as medication is required for the patient, leaving such food, from this perspective, is required; and as well as medication is permissible, leaving this food is permissible.

This goes back to determination to diet to protect oneself from harm. It originates from the statement of The Messenger of Allah "peace be upon him": "O young men! Whoever among you could have the financial and physical means to marry, let him marry, and whoever could not, let him observe fast, because fasting diminishes his sexual power"⁽¹⁾ lest his sexual desire would prevail over him and put him to severe difficulty. If one leaves anything in which there is no harm lest he would fall in the harmful, that is the rank of the pious, like the one who leaves the suspicious lest he would fall in the unlawful, or to save his religion and honor (from evil).

But if one leaves anything for reasons other than those, it may be out of religiousness or not. Unless he leaves it out of religiousness, he then will be considered playful with his prohibition of or determination to leave it. But leaving, in this way, is not considered a religious innovation, except in accordance with the extensive concept given to the term, which includes the habits in addition to religion. But the one who does so is a sinner by his leaving, or belief in the prohibition of what is made lawful by Allah.

But if leaving goes back to religiousness, that is indeed the religious innovation according to both concepts. Leaving something supposed to be validated by Shari'ah opposes the lawgiver in making it lawful. In this connection, Allah Almighty revealed: **{O you who believe! make not**

(1) On the authority of 'Abdullah Ibn Mas'ud [Al-Bukhari, Hadith no. 5065; Muslim, Hadith no. 1400; Ahmad in his Musnad, Hadith no. 3592, 4023, 4112; Ibn Majah, Hadith no. 1845; Abu Dawud, Hadith no. 2046; At-Tirmithi, Hadith no. 1081; An-Nasa', 6:56.

unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.} [Al-Ma'idah 87] He, first, forbade people to make unlawful what is lawful, and then the Holy Verse came to give the impression that this (making unlawful what is lawful) is a transgression disliked by Allah Almighty.

The occasion of this Holy verse is that some Companions of the Prophet "peace be upon him", (out of exaggeration in the worship) intended to forbid sleep at night on themselves, others food by day, others sexual relations with women, and others thought about getting themselves castrated, by way of abstention from women. In this connection, The Messenger of Allah "peace be upon him" said: "No doubt, whoever leaves my Sunnah is not from my followers."⁽¹⁾

Hence, whoever forbids anything for himself which is made lawful by Allah Almighty, with no excuse acceptable under Shari'ah, has indeed deviated from the Sunnah of The Messenger of Allah "peace be upon him"; and whoever acts in accordance with anything other than the Sunnah out of religiousness is indeed a religious innovator.

Therefore, it may be said: "Should the one who leaves anything, be it obligatory or recommended by Shari'ah, be called a religious innovator?"

Let me say that leaving anything required by Shari'ah is of two kinds:

The first is to leave it for reasons other than religiousness, either because of laziness, waste or any such like, in which case it is an opposition: if the left thing is an obligatory, he will be a sinner; and if it is a recommended, he will not be a sinner, provided that he leaves it partially not entirely, according to what is clarified in the principles.

The other is to leave it out of religiousness: that is indeed a religious innovation, since he worships Allah with something opposed to what has been ordained by Allah. Its example is that of those who make it permissible to cancel out the obligations from anyone of the path followers having attained the same limit defined by them.

It has become evident then that the definition given to the term 'religious innovation' as a way invented in the religion to imitate what is ordained by Shari'ah, includes acting and leaving, whether leaving is considered an act or a negation of the act. It is of three divisions: belief, word and deed. By adding leaving, we then will have four divisions. In sum, the religious innovations pertain to all methods of Shari'ah discourse.

(1) Al-Bukhari no. 5063, 5073, 5074.

2. CONDEMNATION OF RELIGIOUS INNOVATIONS, AND EVIL CONSEQUENCE OF THEIR DOERS

It is not hidden that religious innovations are condemned by the rational, who follows them is to deviate from the straight path. Below is the explication of this from the perspective of both reason and transmitted texts.

From the perspective of reason, it has the following points:

First: it has been learnt, as a result of the human experience and practice from the very beginning of the world up to day, that the minds could neither bring benefits nor avert evils independently. Both benefit and evil belong to either the world or the hereafter.

As for the worldly benefits and evils, by no means could the mind independently perceive them thoroughly, whether when they were first created, or when they occur by the occurrence of the new events in the past and the future. When they were first created, they were taught by Allah Almighty (to Adam). When Adam “peace be upon him” was sent down to the earth, he was taught how to bring the benefits of his world, and before this he did not know that, except if we adopt the opinion that this was included in Allah's statement: **{And He taught Adam the names of all things.}** [Al-Baqarah 31] but in this case, he was taught them by inspiration rather than by reason. Then, they were inherited from him by his offspring. But as a result of ramification and remoteness of minds from their fundamentals, they came to have the false impression that they independently knew them.

The fundamentals themselves were gradually distorted as shown during the times of the interruption of the series of Prophets. In those times, the benefits did not follow a straight course due to the spreading afflictions, corruption and commotion. Had it not been for the favor of Allah He conferred upon His servants, by sending the Messengers and Prophets to them, their lives would not have followed the right course, nor would their states have served to maintain their benefits perfectly to the best.

As for the hereafter benefits, they are beyond the limited reason, in terms of their causes. For example, the acts of worship: neither could the mind independently perceive them in general nor learn them in detail.

The same is true also when we imagine the hereafter abode to come as being an abode of requital for the deeds. Of course, the mind could perceive it only potentially rather than actually. Let not these of minds be deceived by the claim of philosophers that it is possible for the mind to perceive the hereafter states without learning them from the Divine law. Their claim by word quite differ from the fact. The humankind continued to receive the Divine laws

through the Messengers and Prophets sent by Allah Almighty, and the Messengers and Prophets continued to live among the people (to teach them the Divine laws), and they were great in number, beginning from Adam "peace be upon him" until all religions were concluded with that of Muhammad "peace be upon him".

However, every time a Divine law was about to disappear, Allah Almighty sent a Messenger or a Prophet to evoke to the people the real purpose for which they were created, i.e. to worship Him Alone. During the interval between the beginning of disappearance of a certain Divine law and sending down the coming Divine law, there should remain some indisputably known fundamentals.

Then, the philosophers came and picked up all or some of those fundamentals which they adapted to befit their minds, and presented them as being based on reasoning rather than on the Divine law. But the matter is not as they claimed. The mind is not independent, at all, in this knowledge, which could be based only on a previous and admitted fundamental origin. In the cases of the hereafter, there is no previous admitted origin other than what was received by Divine revelation. This meaning will be explained, in more detail, later, in Allah's will.

In sum, the minds could not perceive their benefits independently from the Divine revelation. The religious innovation, in this sense, is opposed to this principle, since it has no support in the imposed Divine law, and nothing would remain other than their claim of reasoning. The religious innovator then is not confident that he would attain, by acting upon it, the reward he expects to get, and in the absence of this, his religious innovation is pointless. This is true if we claim that the Divine laws came to serve the public benefits of the people.

But according to the other concept, the religious innovator is more entitled to lose confidence of his religious innovation, since, on the light of this concept, the Divine law is but a compulsory obligations of worship enjoined by the commander upon the commanded, in which there is no role for the mind to play, as shown clearly in the science of fundamentals. How bad is a way an innovator invents in religion in the highest context of demand, of which he has no confidence, and, at the same time, discards one of which he has confidence!

The second is that the Shari'ah was perfect and complete in such a way as no shortage is expected in it, as confirmed by Allah Almighty in His saying: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma'idah 3]

It is narrated on the authority of Al-'Irbad Ibn Sariyah⁽¹⁾ "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him"

(1) Tabaqat Ibn Sa'd, 4:276; Siyar A'lan An-Nubala' 3:419.

addressed us with a sermon, (so much impressive that) because of which the eyes shed tears, and the hearts became in awe. We said: "O Messenger of Allah! Verily, this sermon is of such as is going to leave (us): what do you command us to do?" on that he said: "No doubt, I've left you on (a state of faith that is as clear and pure as) the white (ground), whose night is (as shining) as day; and no one deviates from it after me but that he will be ruined. No doubt, you will see after my (death) a great dispute (among the people which leads to their division and swerving from the right path): so, I advise you to follow my Sunnah, and the tradition of my rightly-guided well-directed successors, which you should stick firmly to (and show constant patience on)." ⁽¹⁾

It is also proven that The Messenger of Allah "peace be upon him" did not die before he brought a full clarification of everything needed in all the affairs of this world and the religion, a fact over which there is no dispute among all the men of Sunnah.

Being so, the religious innovator then seems to say, by word or state, that the Shari'ah is still imperfect and incomplete, and needs for many things to complete with, compulsorily or favorably. Had he had the belief of its perfection and completion from all points, surely, he would have innovated nothing to complete it. But even, such a person is in error and misled from the straight path.

According to Ibn Al-Majishshun ⁽²⁾: I heard Malik (Ibn Anas) "may Allah have mercy upon him" having said: "Whoever invented a religious innovation in Islam which he thought to be good, has, indeed, claimed that Muhammad "peace be upon him" had betrayed the message. That is because Allah Almighty says: **{this day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma'idah 3] What was not a part of religion on that day, should not be considered a part of the religion today (or at any time else)." ⁽³⁾

Third: the religious innovator challenges and works against the Divine law. That is because the lawgiver (Allah) has determined the obligations required from the servants to be performed in definite ways and methods, and restricted the people to them through his command, forbiddance, promise and threat, and told that good lies in doing them, whereas evil in exceeding them. However, Allah knows while we know not, and sent The Messenger of Allah "peace be upon him" as a source of mercy to the worlds.

Therefore, the religious innovator rejects all of this, as he claims that there are further ways and methods other than those determined by the lawgiver, as

(1) It is narrated by Ibn Majah, Hadith no. 42-43; Ahmad, 4:126-127; Abu Dawud, Hadith no. 4607; At-Tirmithi, Hadith no. 2676; Ad-Darimi, 1:44.

(2) Tabaqat Ibn Sa'd, 5:442; Al-Jarh Wat-Ta'dil, 5:358.

(3) Tathkirat Al-Mu'tasi pp50, 380; Al-I'lam Bi Mukhalafat Al-Ittifaq Wal-I'tisam p13.

if he has the same, if not better, knowledge than the lawgiver has, as understood from his completing the ways and methods of which the lawgiver runs short.

Assuredly, if the religious innovator does it intentionally, it is a disbelief in both the lawgiver and his Divine law; and if he does it unintentionally, that is indeed an evident error.

To this referred 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him" in his reply to 'Adi Ibn Artah⁽¹⁾, who asked him about the Anti-Fatalists. He sent a message to him in which he said: "To go further: I advise you to safeguard yourself against (the punishment of) Allah Almighty, to be moderate and straight in (implementation of) His Order (i.e. not to indulge in doing what is right, nor to exceed the due limits, nor to swerve from the truth), follow the Sunnah of His Prophet "Peace be upon him", leave the innovations (which are heresies), in the way of religion which has been well-established, that left no need for the people to make (religious innovations): so, I advise you to adhere to the Sunnah, for no one has laid the foundation of the right way but He (Allah) Who learnt whatever errors, mistakes, foolishness and radicalism lie in its opposite. So, you should be pleased with the same way with which the people (belonging to the righteous predecessors) had been pleased, for it is those who had been endued with great knowledge and with the help of their penetrating insight they kept off (errors and mistakes), and they were more entitled to uncover the matters (of religion), and more fitting for such a merit (than their successors). If you say pertaining to what has been innovated afterwards that it has been innovated only by those who followed a different way other than theirs, and kept themselves away from them (and there is distinction between difference and deviation), (the answer is that what you say is false too). No doubt, it is the righteous predecessors who have taken the lead of this (religion), in which they have talked so much enough that satisfies (the need for more), and described of it what quenches (the thirst of anyone for it), to the extent that no one else other than them could expose what they have not exposed, as well as no one else other than them could uncover better what they have uncovered. Some people other than them tried to conceal more, with the result that they deserted (from what is right), and others made an attempt to uncover more than them, with the result that they exceeded the due limits; and thus, these (of the righteous predecessors) have come to stand in the middle between both extremes, on the right guidance." Then, he concluded the letter with the answer to his question.⁽²⁾

The intended witness here is his phrase: "for no one has laid the foundation of the right way but He (Allah) Who learnt whatever errors, mistakes, foolishness and radicalism lie in its opposite."

(1) Al-Jarh Wat-Ta'dil, 7:3; Shatharat Ath-Thahab, 1:124.

(2) It is narrated on the authority of Sufyan. [Sunan Abu Dawud, Hadith no. 4612].

The fourth: the religious innovator places himself in the same standing of the lawgiver. To be sure, it is the lawgiver alone Who stipulated the laws and obliged the people to abide by them in accordance with their ways and methods He set for them. He is Alone who could do so, for it is He Alone Who could judge among the people in the matters in which they disputed. Had religious legislation been in the hands of the people, the laws would have survived, the people would have entertained no disputes, and there would have been no need for sending Messengers and Prophets.

The religious innovator who invented things in the religion of Allah has set himself a rival and an equal to the lawgiver in legislation, thereupon he opened the door to disputes and differences, and denied the lawgiver's purpose of being the only One Who gives laws; and sufficient is this for sin!

The fifth: he is a follower of his inclination. Unless the mind follows the Divine law, it will have no way but to follow the inclinations and desires. Of course, to follow the inclination is an evident error, as learnt from the statement of Allah Almighty: **{O Dawud (David)! Verily! We have placed you as a successor on earth, so judge you between men in truth (and justice) and follow not your desire for it will mislead you from the Path of Allah. Verily! Those who wander astray from the Path of Allah (shall) have a severe torment, because they forgot the Day of Reckoning.}** [Sad 26]

The judgment then is restricted to one of two: truth and inclination, and there is no more. The mind has no way but to follow one of them.

He further said: **{and obey not him whose heart We have made heedless of Our Remembrance, one who follows his own lusts and whose affair (deeds) has been lost.}** [Al-Kahf 28]

The matter here also is restricted to one of two: to follow the inclination, or to follow the remembrance (of Allah).

Allah also said: **{And who is more astray than one who follows his desire without guidance from Allah? Indeed, Allah does not guide the wrongdoing people.}** [Al-Qasas 50] It has the same ruling of the previous one. Moreover, this Verse states clearly that there is no one more astray than the one who follows his own inclinations and desires rather than the guidance of Allah.

That is indeed the case of the religious innovator: he follows his own inclination with no guidance from Allah Almighty; and the guidance of Allah Almighty is the Qur'an, and what has been made clear by Shari'ah. It seems from the Holy Verse that following is of two kinds: One of those is the Sharia, and there is no doubt that it is (the source of religious) knowledge as well as the truth and guidance. The other is the inclination, and it is blameworthy, since it is right so in the Qur'an. There is no further way other than those two, as attested from all the Holy Quranic Verses in this context.

On the other hand, the knowledge referred to, and the truth which is

praiseworthy is the Holy Qur'an which was sent down from Allah Almighty. Consider, for instance, Allah's saying: **{Say: "Has He forbidden the two males or the two females, or (the young) which the wombs of the two females enclose? Inform me with knowledge if you are truthful."... Or were you present when Allah ordered you such a thing? Then who does more wrong than one who invents a lie against Allah, to lead mankind astray without knowledge. Certainly Allah guides not the wrongdoers."}** [Al-An'am 143-144]

He further says: **{Those will have lost who killed their children in foolishness without knowledge and prohibited what Allah had provided for them, inventing untruth about Allah. They have gone astray and were not [rightly] guided.}** [Al-An'am 140] This goes back, assuredly, to the fact that, in legislation, they follow their inclinations and desires without knowledge or guidance from Allah.

Allah also says in this respect: **{Allah has not instituted things like Bahirah (a she-camel whose milk was spared for the idols and nobody was allowed to milk it) or a Sa'ibah (a she-camel let loose for free pasture for their false gods, e.g. idols, etc., and nothing was allowed to be carried on it), or a Wasilah (a she-camel set free for idols because it has given birth to a she-camel at its first delivery and then again gives birth to a she-camel at its second delivery) or a Ham (a stallion camel freed from work for their idols, after it had finished a number of copulations assigned for it, all these animals were liberated in honour of idols as practiced by pagan Arabs in the pre-Islamic period). But those who disbelieve invent lies against Allah, and most of them have no understanding.}** [Al-Ma'idah 103] This, however, is the following of inclination in legislation, which is to invent lies against Allah.

He says too: **{Have you seen the one who takes as his god his own desire, and Allah has sent him astray due to knowledge and has set a seal upon his hearing and his heart and put over his vision a veil? So who will guide him after Allah? Then will you not be reminded?}** [Al-Jathiyah 23] That is, no one could guide him aright except Allah Almighty, through the Divine law rather than anything else.

Being so, on the light of the fact that one has no way but to follow the Divine law or his inclination, there is then no place for the absolute mind in ruling, since the mind could do but through following the inclination in legislation of rulings and judgments.

We do not intend here the role of the mind in the abstract reasoning-based issues, although their advocates have also slipped by innovation in their wrong legislation. But they were excusable for their mistakes in the laws they legislated and reasoning-based issues, before sending the Messengers. Therefore, after the Messengers had been sent, there would be no argument for anyone to support his claim (against Allah) as He says: **{[We sent]**

messengers as bringers of good tidings and warners so that mankind will have no argument against Allah after the messengers. And ever is Allah Exalted in Might and Wise.} [An-Nisa' 165] To Allah do belongs the perfect inclusive argument.

As fundamental as this rule might be, it is, in the end, deduced from the Book of Allah Almighty.

1.2. A Chapter On The First Source Of Transmitted Texts

There are many texts in condemnation of the religious innovations, of which a mention may be made of the following:

The first is what is mentioned in the Book of Allah Almighty about the condemnation of the innovator who invents things in Allah's religion. A mention may be made of the following:

He said: **{It is He Who has sent down to you (Muhammad) the Book (this Qur'an). In it are Verses that are entirely clear, they are the foundations of the Book; and others not entirely clear. So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings), but no one knows its hidden meanings save Allah.}** [Al 'Imran 7]

This Holy Verse is among the greatest witnesses. It is explained in many Hadiths. It is narrated on the authority of 'A'ishah "Allah be pleased with her" that she said: I asked the Messenger of Allah "Allah be pleased with him" about Allah's saying: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings).}** on that he said: "If you see them, you should recognize them (as referred to by this Holy Verse)." ⁽¹⁾

It is further narrated on her authority that she said: The Messenger of Allah "peace be upon him" was asked about the significance of that Holy Verse: **{It is He Who has sent down to you (Muhammad) the Book (this Qur'an). In it are Verses that are entirely clear, they are the foundations of the Book...}** on that the Messenger of Allah "peace be upon him" said: "If you see those who follow such of Holy Verses as whose meaning is unclear, then you should know that it is those whom Allah Almighty referred to in the Qur'an. So, you should beware of them." ⁽²⁾

As ambiguous as this interpretation might be, it was made clear in another narration on the same authority that she said: the Messenger of Allah "peace be upon him" recited Allah's saying: **{It is He Who has sent down to you (Muhammad) the Book (this Qur'an). In it are Verses that are entirely clear, they are the foundations of the Book...}** on that the Messenger of

(1) At-Tirmithi Hadith no. 2996; Al-Bukhari, Hadith no. 4547; Muslim, Hadith no. 2665; Abu Dawud, Hadith no. 4598.

(2) It is narrated by At-Tirmithi, Hadith no. 2993.

Allah "peace be upon him" said: "If you see those who argue about it, you should know that it is those whom Allah Almighty intended in his saying. So, you should beware of them."⁽¹⁾ However, that is more evident, since it makes the disputation about the Qur'an the sign of deviation; and this disputation results from pursuing the Holy Verses whose meaning is unclear.

The one who then argues about the Qur'an, by means of depending upon the Holy Verses whose meaning is not entirely clear rather than these whose meaning is entirely clear, even though they are the foundations of the Book, is then blameworthy for this reason. But the question needs more detail.

In this connection, it is narrated on the authority of Abu Ghalib⁽²⁾ that he said: I was in Sham when Al-Muhallab⁽³⁾ sent seventy heads belonging to (seventy dead persons of) Khawarij, and they were hung on the stairway of Damascus. I was on the roof of my house when Abu Umamah⁽⁴⁾ "Allah be pleased with him" came thereupon I descended and followed him. When he saw them, his eyes shed tears. Then he said: "Exalted be Allah! See what authority does with mankind!" He said it thrice and then said also thrice: "Those are the dogs of Hell! Those are the dogs of Hell! They are the worst to be killed under the shade of the sky, and those killed by them are the best to be killed on the surface of the earth. Blessed be the one who killed them or was killed by them!"

Then he turned towards me and said: "O Abu Ghalib! You are living in a land in which they are in great number. So, may Allah Almighty give you refuge from them!" I said: "But I have noticed that you wept when you saw them: what is the reason?" he said: "No doubt, I have wept out of mercy for them since they belonged to the Muslims (before their deviation). Do you recite Surat Al 'Imran?" I answered in the affirmative. He then recited: **{It is He Who has sent down to you (Muhammad) the Book (this Qur'an). In it are Verses that are entirely clear, they are the foundations of the Book; and others not entirely clear. So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings), but no one knows its hidden meanings save Allah.}** [Al 'Imran 7] those deviated (from the truth). Then, he recited: **{And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.}** Up to His saying: **{they will be in Allah's Mercy (Paradise), therein they shall dwell forever.}** [Al 'Imran 105-107]

I asked: "Are they the same who you mean O Abu Umamah?" he

(1) It is narrated by Muslim, Hadith no. 2665.

(2) Tahthib At-Tahthib, 12:197.

(3) Siyar A'lam An-Nubala', 4:383; Tarikh At-Tabari, 6:354.

(4) Siyar A'lam An-Nubala', 3:359; Al-Bidayah Wan-Nihayah, 9:73.

answered in the affirmative. I further asked: "Do you say so out of your opinion or on the light of something you heard from the Messenger of Allah "peace be upon him"?" on that he said: "(If I claimed it out of my own opinion) I then would be extremely bold! No doubt, I heard it from the Messenger of Allah "peace be upon him" not only once or twice, but seven times." Then he said: "The children of Israel were divided into seventy-one sects; and this ummah (of Muslims) will be divided into seventy-two sects, all of which will be in fire except the one of the greater majority (i.e. the established community who follow the Prophetic Sunnah)." I said: "O Abu Umamah! Have you not seen what they had done?" he recited: **{he is only responsible for the duty placed on him and you for that placed on you.}** [An-Nur 54] [It is narrated by Isma'eel Al-Qadi⁽¹⁾ and others]⁽²⁾

According to another narration, he said: "Do you see the state of the majority of the people?" this was in the early days of the caliphate of 'Abd-Al-Malik (Ibn Marwan)⁽³⁾, where killing was apparent. He recited: **{he is only responsible for the duty placed on him and you for that placed on you.}** [An-Nur 54]

The same is narrated by At-Tirmithi, but somewhat abridged; and also by At-Tahawi⁽⁴⁾, but with a slight variation of wording.

It is narrated on the authority of Al-Ajurri⁽⁵⁾ from Tawus⁽⁶⁾ that he said: A mention was made to Ibn 'Abbas⁽⁷⁾ "may Allah be pleased with them" of the state of the Khawarij when they recite the Qur'an, thereupon he said: "They believe in the Holy Verses whose meaning is entirely clear, and go astray when they come upon the Holy Verses whose meaning is not entirely clear." Then he recited: **{But those firm in knowledge say, "We believe in it. All [of it] is from our Lord." And no one will be reminded except those of understanding.}** [Al 'Imran 7]

It is clear then, from the interpretation given above, that those belong to the religious innovators, since Abu Umamah "may Allah be pleased with them" included the Khawarij among those intended by the general significance of the Holy Verse. The scholars agree that they are religious innovators, but differ as to whether or not, by their religious innovation, they became apostates.

This sect are among those in whose hearts there is deviation (from the truth). The deviation is characteristic of all the religious innovators.

Do you not see that this Surah was revealed in connection with the

(1) Siyar A'lam An-Nubala', 13:339; Al-Bidayah Wan-Nihayah, 11:72.

(2) It is narrated in: Al-Mu'jam Al-Kabir, At-Tabarani, Hadith no. 7691; Sunan Al-Baihaqi, Hadith no. 17262; Musannaf Ibn Abu Shaibah 8:731; and others.

(3) Siyar A'lam An-Nubala', 4:246; Al-Bidayah Wan-Nihayah, 8:260.

(4) Al-Bidayah Wan-Nihayah, 11:174; Shatharat Ath-Thahab, 2:288.

(5) Al-Bidayah Wan-Nihayah, 11:270; Shatharat Ath-Thahab, 3:35.

(6) Al-Jarh Wat-Ta'dil, 4:500; Tahthib At-Tahthib, 5:8.

(7) Siyar A'lam An-Nubala', 3:331; Tabaqat Ibn Sa'd, 2:365.

Christians of Najran, and their argument with the Messenger of Allah "peace be upon him" about their belief in the Christ "peace be upon him" whom they set a god, the god's son, or the third in a trinity, and abandoned the clear reality of his servitude (to Allah Almighty), as transmitted by the narrators of biographies? Later on, the scholars from among the righteous predecessors interpreted it to extend over many issues, whose men, such as the Khawarij, were included in the general significance of the Holy Verse.

Then, Abu Umamah "may Allah be pleased with him" recited: **{And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.}** Up to His saying: **{they will be in Allah's Mercy (Paradise), therein they shall dwell forever.}** [Al 'Imran 105-107] he gave it the same interpretation given to the previous Holy Verse, that is, to threaten those having such characteristics, and forbid the faithful believers to do the same.

It is transmitted by 'Ubaid⁽¹⁾ from Humaid Ibn Muhran⁽²⁾ that he said: I asked Al-Hasan: "How do those of malicious inclinations do with the following Holy Verse: **{And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment?}**" [Al 'Imran 105] he said: "They have indeed discarded it, by the Lord of the Ka'bah."

It is narrated on the authority of Abu Umamah "may Allah be pleased with him" that he said: "They are the Haruriyyah."⁽³⁾

Ibn Wahb said: I heard Malik saying: "No Quranic Verse is more severe on the disputing men of inclinations than the following." Then he recited: **{On the Day [some] faces will turn white and [some] faces will turn black. As for those whose faces turn black, [to them it will be said], "Did you disbelieve after your belief? Then taste the punishment for what you used to reject."}** [Al 'Imran 106] Malik said commenting on it: "Which statement is clearer than this?" in this way he interpreted it to include the men of inclinations. The same is narrated by Ibn Al-Qasim⁽⁴⁾, with the following addition: Malik said to me: "This Holy Verse addresses the men of Qiblah (i.e. the Muslims)."

It is narrated on the authority of Qatadah⁽⁵⁾ that he said, commenting on the statement of Allah Almighty: **{And be not as those who divided and differed among themselves after the clear proofs had come to them}** [Al 'Imran 105] "They are the religious innovators."

(1) Tahthib At-Tahthib, 7:81.

(2) Siyar A'lam An-Nubala', 6:163; Al-Jarh Wat-Ta'dil, 3:221.

(3) They are attributed to the village of Harurah, two miles from Kufah, in which the Khawarij met for the first time, and agreed on their evil. For this reason, they were attributed to this village and named Haruriyyah. [Sahih Muslim, Hadith no. 67:335].

(4) Tahthib At-Tahthib, 6:262; Shatharat Ath-Thahab, 1:329.

(5) Siyar A'lam An-Nubala' 5:269; Al-Jarh Wat-Ta'dil, 7:133.

It is narrated on the authority of Ibn ‘Abbas "may Allah be pleased with them" that he said, in comment on Allah's saying: **{On the Day [some] faces will turn white and [some] faces will turn black}** [Al ‘Imran 106] "The followers of Sunnah will have their faces white, whereas the religious innovators will have their faces black."

A mention may also be made of the following Holy Verse: **{"And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."}** [Al-An‘am 153]

The straight path is the way of Allah Almighty, to which He invited the followers of Sunnah, whereas the others are the ways of those of disputes who deviate from the straight path, from among the religious innovators. Those could not be construed as the ways of sins, since no one claims to follow the sins, as being sins, in ways similar to those of the Divine law. This description is characteristic of the religious innovations.

It is narrated on the authority of ‘Abdullah Ibn Mas‘ud⁽¹⁾ "may Allah be pleased with him" that he said: the Messenger of Allah "peace be upon him" drew a line for us and said: "That represents the Way of Allah." Then he drew lines on its right and left sides and said: "Those represent (the other) ways, at each of which stands a devil, inviting to it." Then he recited: **{Verily, this is My straight path: follow it; follow not (other) paths: they will separate you from His (Allah's) Path.}** [Al-An‘am 153] Bakr Ibn Al-‘Ala’⁽²⁾: "I think he means an evil one from among mankind, i.e. the religious innovations; and Allah knows best. This Hadith is narrated through many ways of transmission⁽³⁾.

It is narrated on the authority of ‘Umar Ibn Salamah⁽⁴⁾ that he said: We were sitting in the discussion group of Ibn Mas‘ud "may Allah be pleased with him" in the mosque before it was covered with the gravel, when ‘Ubaidullah Ibn ‘Abdullah Ibn ‘Umar Ibn Al-Khattab, and he had come as a fighter, asked him: "O Abu ‘Abd-Ar-Rahman! What is the straight path?" he said: "It is, by the Lord of the Ka‘bah, the way on which your father kept firm until he entered Paradise." He took oath thrice about that. Then he drew a (straight) line on the ground, and many lines on both its sides and said: "No doubt, your Prophet "peace be upon him" left you on one of its ends, and its other end is in Paradise. Whoever keeps firm on it will enter Paradise; and whoever swerves

(1) Siyar A‘lam An-Nubala’, 1:461; Al-Jarh Wat-Ta‘dil, 5:149.

(2) Siyar A‘lam An-Nubala’, 15:537.

(3) Mishkat Al-Masabih, Hadith no. 166; Al-Hakim in Al-Mustadrak, 2:318; Ahmad in his Musnad, 1:435; Ad-Darimi, Hadith no. 202; and Ibn Majah, Hadith no. 11.

(4) The right is ‘Amr Ibn Salamah Al-Hamadani. See Siyar A‘lam An-Nubala’, 3:524; Al-Jarh Wat-Ta‘dil, 6:235.

to anyone of those lines (on its sides) will be ruined." ⁽¹⁾

According to another narration, he asked him: "O Abu 'Abd-Ar-Rahman! What is the straight path?" he said: "The Messenger of Allah "peace be upon him" left us on its nearest end, and its other (farthest) end is in Paradise. On its right and left sides, there are many ways, and men standing as advocates to those anyone passing by them, saying: "Come to this!" whoever of them follows anyone of those ways, it will lead him to the Hell-fire; and whoever of them keeps straight on the main path, it will lead him to Paradise." Then, Ibn Mas'ud recited: **"And verily, this is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."** [Al-An'am 153] ⁽²⁾

In his comment on the statement: **{and follow not (other) paths}**, Mujahid ⁽³⁾ said: "They are the religious innovations and malicious allegations."

It is narrated on the authority of 'Abd-Ar-Rahman Ibn Mahdi ⁽⁴⁾ that Malik Ibn Anas was asked about the Sunnah (the established way of the Prophet), and he said: "It includes all things which have no name other than the Sunnah." He recited: **"And verily, this is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."** [Al-An'am 153] according to Bakr Ibn Al-'Ala', he means the Hadith of Ibn Mas'ud "may Allah be pleased with him", that the Messenger of Allah "peace be upon him" drew a main line for them...to the end of the Hadith.

This interpretation then given to the Holy Verse indicates that it includes all religious innovations, and not a certain one in particular.

A further Holy Verse in this connection is Allah's statement: **{And upon Allah is the direction of the [right] way, and among the various paths are those deviating. And if He willed, He could have guided you all.}** [An-Nahl 9] The direction of the right way is the truth, and anything else is to deviate from the truth. Those are the ways of religious innovations and errors, may Allah give us refuge from them; and it suffices for the deviant to beware of him, as the context indicates to warning and forbiddance.

It is narrated by Ibn Waddah on the authority of 'Asim Ibn Bahdalah that he was asked: "O Abu Bakr! What is your view about the statement of Allah: **{And upon Allah is the direction of the [right] way, and among the various paths are those deviating. And if He willed, He could have guided you all.}**?" [An-Nahl 8] on that he said: We were reported by Abu

(1) Ar-Riyad An-Nadira Fi Manaqib Al-'Ashrah, Al-Muhibb At-Tabari, 1:198; Tarikh Dimashq, Ibn 'Asakir, 44:372].

(2) Tafsir At-Tabari, 12:229-230; Tafsir Ibn Kathir, vol. 2, Al-An'am 153.

(3) Al-Bidayah Wan-Nihayah, 9:224; Siyar A'lam An-Nubala', 4:449.

(4) Siyar A'lam An-Nubala', 9:192; Al-Jarh Wat-Ta'dil, 1:251.

Wa'il that he said: 'Abdullah (Ibn Mas'ud) drew a straight line, and drew many lines on its right and left sides, and said: the Messenger of Allah "peace be upon him" drew a line for us and said: "That represents the Way of Allah." Then he drew lines on its right and left sides and said: "Those represent (the other) ways, at each of which stands a devil, inviting to it." But the way (of Allah) is common (to all the people). Allah Almighty said: **{Verily, this is My straight path: follow it; follow not (other) paths: they will separate you from His (Allah's) Path.}** [Al-An'am 153] ⁽¹⁾

According to At-Tastari ⁽²⁾, the direction of the way is the way of Sunnah, and the deviant from it is he who falls short of following it. However, the deviant is the one who either falls short of, or commits excess in the religion; and both belong to the religious innovations.

According to the recitation of 'Ali "may Allah be pleased with him": "And among you is deviating" ⁽³⁾, which means that they belong to this ummah. It seems then that this Holy Verse, combined with the previous one, give the same meaning.

In this context too, Allah Almighty says: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An'am 159]

This Holy Verse is explained clearly in a Hadith narrated on the authority of 'A'ishah "may Allah be pleased with her", that she said: The Messenger of Allah "peace be upon him" said to me: "O 'A'ishah! As for the statement of Allah: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects)}** [Al-An'am 159] Do you know who they are?" I said: "Allah and His Messenger know best." On that he said: "They are the men of inclinations, religious innovations and errors from among this (Muslim) ummah. O 'A'ishah! (Allah accepts) the repentance from every sin save the sinners from among the men of inclinations and religious innovations, whose repentance is not accepted: I have nothing to do with them, and they have nothing to do with me." ⁽⁴⁾

According to Ibn 'Atiyyah ⁽⁵⁾, this Holy Verse points out the men of religious innovations and inclinations, who have eccentric opinions in the detail issues (the branches rather than the fundamentals), and the hair-splitting

(1) Mishkat Al-Masabih, Hadith no. 166 [Ahmad, An-Nasa'i and Ad-Darimi: Hasan].

(2) Siyar A'lam An-Nubala', 13:330; Shatharat Ath-Thahab, 2:182.

(3) Tafsir Ibn Kathir, 2:544.

(4) It is narrated on the authority of 'Umar Ibn Al-Khattab: At-Tirmithi in his sunan; Ibn Mardawaih; Abu Na'eem in Al-Hilyah; Abu Ash-Shaikh; Ibn Abu Hatim; At-Tabarani; and Al-Baihaqi in Shu'ab Al-Iman [Ad-Durr Al-Manthur 3:402]; see also Tafsir Ibn Kathir, 2:187.

(5) Siyar A'lam An-Nubala', 19:587.

doctrinaires of disputation and scholastic theology: all of which expose one to slip, fall in mistakes and misbelieve. He means, and Allah knows best, by the men of sophistry in the detailed issues, what is mentioned by Abu 'Umar Ibn 'Abd-Al-Barr⁽¹⁾, in a chapter on condemnation the independent personal opinion, in his Kitab Al-'Ilm (book of knowledge)⁽²⁾; and it will be mentioned later, by Allah's strength and power.

It is narrated on the authority of Abu Hanifah⁽³⁾ that he said: I met 'Ata' Ibn Abu Rabah in Mecca and asked him about something and he asked me: "From where do you come?" I said: "From Kufah." He further asked: "Are you from the village whose inhabitants divided their religion and broke up into sects?" I answered in the affirmative. He asked: "To which people do you belong?" I said: "I am of those who do not abuse the righteous predecessors, who believe in the fate and do not render anyone a disbeliever only by his sin." On that 'Ata' Ibn Abu Rabah⁽⁴⁾ said: "You have then learnt (the truth): stick to it." [Ibn Battal⁽⁵⁾ in his commentary on Al-Bukhari's Sahih]

It is narrated on the authority of Al-Hasan that he said: One day, 'Uthman Ibn 'Affan "may Allah be pleased with him" came out to address us with a sermon, thereupon they interrupted his speech, and started to exchange throwing of volleys of pebbles in the valley so much that I could no longer see the sky. Then, we heard a voice coming from one of the dwellings of the Mothers of the Believers. It was said: "That is the voice of (Umm Salamah), the Mother of Believers." She said: "Behold! Your Prophet "peace be upon him" had nothing to do with those who divided their religion and broke up into parties." Then, she recited: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least.}** [Al-An'am 159]⁽⁶⁾

It is narrated on the authority of Abu Hurairah "may Allah be pleased with him" that this Holy Verse was revealed in connection with this ummah. According to Abu Umamah "may Allah be pleased with him", it addresses the Khawarij.

according to Al-Qadi, "What seems clear from the Qur'an is that whoever makes an innovation in the religion, whether belonging to the Khawarij or others, is included under the general significance of this Holy Verse. That is because when they make such innovations, they dispute, quarrel and divide their religion and break up into sects."

Allah also says in this respect: **{and be not of the polytheists, Of those**

(1) Shatharat Ath-Thahab, 3:314; Siyar A'lam An-Nubala', 18:153.

(2) Its name is Jami' Bayan Al-'ilm Wa Fadlih, Wa Ma Yanbaghi td Riwayatih Wa Hamlih, and he chapter referred to is 2:133.

(3) Siyar A'lam An-Nubala', 6:390; Al-Bidayah Wan-Nihayah, 10:107.

(4) Siyar A'lam An-Nubala', 5:78; Al-Jarh Wat-Ta'dil, 6:330.

(5) Shatharat Ath-Thahab, 3:283; Siyar A'lam An-Nubala', 18:7.

(6) Al-'Ilal Wa Ma'rifat Ar-Rijal, Ahmad Ibn Hanbal 2:548, Hadith no. 3597.

who split up their religion (i.e. who left the true Islamic Monotheism), and became sects, (they invented new things in the religion, and followed their vain desires), each sect rejoicing in that which is with it.} [Ar-Rum 31-32]

It is construed to refer to the Khawarij, according to the interpretation given by Abu Hurairah "may Allah be pleased with him". The same is narrated on the authority of Abu Umamah "may Allah be pleased with him", elevating it (to the Prophet). It is also said to point out the men of inclinations and religious innovations, as narrated on the authority of 'A'ishah "may Allah be pleased with her", elevating it also to the Prophet "peace be upon him". That is because this is the state of the religious innovators, as told by Al-Qadi Isma'eel in the previous Holy Verses.

Allah also says: **{Say: "He has power to send torment on you from above or from under your feet, or to cover you with confusion in party strife, and make you to taste the violence of one another." See how variously We explain the Ayat (proofs, evidences, lessons, signs, revelations, etc.), so that they may understand.}** [Al-An'am 65]

In his comment on Allah's statement: **{or to cover you with confusion in party strife}**, Ibn 'Abbas "may Allah be pleased with them" said: "Those are the men of various inclinations." It is within this context that we should construe Allah's saying: **{and make you to taste the violence of one another}**, i.e. to charge with disbelief each other until they fight each other, as done by Al-Khawarij who rebelled against the men of Sunnah and established community. It is also said that His saying **{or to cover you with confusion in party strife}** indicates to the disputes and differences.

According to Mujahid and Abu Al-'Aliyah⁽¹⁾, the Holy Verse points out the ummah of Muhammad "peace be upon him". Abu Al-'Aliyah said: "Those are four incidents, two of which appeared twenty-five years after the death of Muhammad "peace be upon him", i.e. they were covered with confusion in party strife, and made to taste the violence of one another. As for the other two, they would inevitably take place: the descent of the land from underneath you, and the transformation from above you." This is, without doubt, a clear statement that the difference of inclinations is unfavorable rather than favored, dispraised rather than praised.

In his comment on Allah's saying: **{But they will not cease to disagree Except him on whom your Lord has bestowed His Mercy (the follower of truth - Islamic Monotheism) and for that did He create them.}** [Hud 118-119] Mujahid said: "As to those who will not cease to disagree, they are the men of falsehood and inclinations, **{Except him on whom your Lord has bestowed His Mercy}**, since there is no dispute among the men of truth."

(1) Al-Ma'arif, 454; Al-Jarh Wat-Ta'dil, 3:510.

It is reported on the authority of Mutarrif Ibn Ash-Shakhir⁽¹⁾ that he said: "Were all inclinations to be only one, one might claim that truth lies in it; but since they are a variety, a rational has come to know that by no means could the truth be divided."

It is reported on the authority of 'Ikrimah⁽²⁾ that he said, commenting on Allah's saying: **{But they will not cease to disagree}** i.e. the difference of inclinations, **{Except him on whom your Lord has bestowed His Mercy}** i.e. the followers of Sunnah (the established community) [Hud 118-119]

It is transmitted by Abu Bakr: Thabit Al-Khatib⁽³⁾ from Mansur Ibn 'Abdullah Ibn Ar-Rahman⁽⁴⁾ that he said: I was sitting in the gathering of Al-Hasan and a man was sitting behind me, urging me to ask him (Al-Hasan) about the significance of Allah's saying: **{But they will not cease to disagree}**, thereupon he said: "Yes, they will continue to be in disagreement, belonging to different religions **{Except him on whom your Lord has bestowed His Mercy}** for whoever receives the mercy of Allah is not at variance (about the religion)."

It is narrated by Ibn Wahb on the authority of both 'Umar Ibn 'Abd-Al-'Aziz and Malik Ibn Anas that these who receive the mercy of Allah are not at variance (concerning the religion). This Holy Verse, however, will be explained in more detail later, Allah willing.

It is further narrated on the authority of Mus'ab (Ibn Sa'd) that he said: I asked my father about Allah's saying : **{Say: "(O Mohammad) Shall We tell you the greatest losers in respect of their deeds?"}** [Al-Kahf 103] Was it revealed in connection with Al-Haruriyyah?" He said: "No, but it was revealed in connection with the Jews and the Christians, for the Jews disbelieved in Muhammad, and the Christians disbelieved in Paradise and said that there would be neither food nor drink therein. The Haruriyyah are those who break Allah's Covenant after ratifying it." Shu'bah⁽⁵⁾ used to call them the wicked. [Al-Bukhari]⁽⁶⁾

It is further narrated on the authority of Mus'ab (Ibn Sa'd) that he said: I asked my father about Allah's saying : **{ "Those whose efforts have been wasted in this life while they thought that they were acquiring good by their deeds!"}** [Al-Kahf: 104] "Are those the Haruriyyah?" he said: "No, they are the atherents to churches and synagogues. As for the Haruriyyah, it is those in whom Allah Almighty said: **{So when they turned away (from the Path of Allah), Allah turned their hearts away (from the Right Path). And Allah**

(1) Al-Hilyah, 2:198; Siyar A'lam An-Nubala', 4:187.

(2) Al-Jarh Wat-Ta'dil, 7:7; Siyar A'lam An-Nubala' 5:12.

(3) Al-Bidayah Wan-Nihayah, 12:101; Shatharat Ath-Thahab, 3:311.

(4) Tahthib At-Tahthib, 10:311.

(5) The right is Sa'd Ibn Abu Waqqas rather than Shu'bah, as narrated by Al-Bukhari. See Al-Fath, 8:278.

(6) Sahih Al-Bukhari, Hadith no. 4728.

guides not the people who are rebellious, disobedient to Him.} [As-Saff 5] [Sa'eed Ibn Mansur⁽¹⁾ in his Tafsir]

It is further narrated on the authority of Mus'ab (Ibn Sa'd)⁽²⁾ that he said: I asked my father about Allah's saying : **{Say: "(O Mohammad) Shall We tell you the greatest losers in respect of their deeds? "Those whose efforts have been wasted in this life while they thought that they were acquiring good by their deeds!}** [Al-Kahf 103-104] Was it revealed in connection with Al-Haruriyyah?" He said: "No, but it was revealed in connection with the Jews and the Christians, for the Jews disbelieved in Muhammad, and the Christians disbelieved in Paradise and said that there would be neither food nor drink therein. The Haruriyyah are **{And those who break the Covenant of Allah, after its ratification, and sever that which Allah has commanded to be joined (i.e. they sever the bond of kinship and are not good to their relatives), and work mischief in the land.}** [Ar-Ra'd 25]. [Abd Ibn Humaid in his Tafsir]

The first attribute is because they deviated from the truth by witness of the Messenger of Allah "peace be upon him", as they took refuge to the corrupt interpretations; and so did the religious innovators.

The second is because they dealt with the rulings given by the Qur'an and Sunnah in this way described above.

The men of Harura' and other Khawarij separated Allah's statement: **{The decision is only for Allah}** [Al-An'am 57] from His saying: **{as adjudged by two just men among you.}** [Al-Ma'idah 59] the same was done by all the religious innovators, as you will see later, Allah willing.

It is narrated on the authority of 'Amr Ibn Muhajir⁽³⁾ that he said: The news reached 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him" that Ghailan Al-Qadari⁽⁴⁾ was talking about the fate (in opposition to the established opinion of the Sunnah). He brought him and abstained from meeting him for many days, after which he requested that he should enter upon him. 'Umar asked him: "O Ghailan! What is that which has reached me about you?" 'Amr Ibn Muhajir said: I beckoned to him to say nothing. But he said: "Well Commander of Believers! Allah Almighty says: **{Has there not been over man a period of time, when he was not a thing worth mentioning? Verily, We have created man from a drop of mixed semen (sexual discharge of man and woman), in order to try him: so We made him hearer and seer. Verily, We showed him the way, whether he be grateful or ungrateful.}** [Al-Insan 1-3] 'Umar said to him: "Read to the end of the Surah, where Allah Almighty says: **{But you cannot will, unless Allah wills.}**

(1) Tahthib At-Tahthib, 4:89; Siyar A'lam An-Nubala', 10:586.

(2) Siyar A'lam An-Nubala', 4:350; Shatharat Ath-Thahab, 1:125.

(3) Tahthib At-Tahthib, 8:107.

(4) Tahthib At-Tahthib, 8:252.

Verily, Allah is Ever All-Knowing, All-Wise. He will admit to His Mercy whom He wills, and as for the wrongdoers, He has prepared a painful torment.} [30-31] then he asked him: "What do you say now O Ghailan?" he said: "O Commander of Believers! I was blind (from seeing the truth) and you have made me see; deaf (from hearing the truth), and you made me hear; and stray (from the fact) and you have guided me." 'Umar said: "O Allah! If Your servant Ghailan is truthful (then forgive him), otherwise, cause him to be crucified." He then abstained from talking about the fate, and 'Umar appointed him in charge of the house of coinage in Damascus. When 'Umar died and the office of caliphate went to Hisham⁽¹⁾, he talked once again about the fate, and Hisham sent to him and cut off his hand. A man came upon him and flies were on his hand, thereupon he said to him: "O Ghailan! That is out of Allah's fate and Decree." He said: "You have told a lie, by Allah! This is neither because of Allah's fate nor because of the Divine decree." On that Hisham sent to him and crucified him.⁽²⁾

The third goes back to the fact that the Haruriyyah unsheathed the swords and raised them against the servants of Allah. That is the utmost degree of corruption. However, this is common among a lot of religious innovators. They cause mischief by sowing the seeds of hatred and enmity among the Muslims.

Those three attributes are applicable to the men who incline to division, as indicated by Allah Almighty in many Holy Verses such as: **{And be not as those who divided and differed among themselves after the clear proofs had come to them.}** [Al 'Imran 105] **{Verily, those who divide their religion and break up into sects (all kinds of religious sects).}** [Al-An'am 159] there are many others like those.

It is also attested from many Hadiths like: "This (Muslim) ummah will be divided into over seventy sects (only one of which will be saved)."

This division goes back to their deviation (from the truth), as explained by Sa'd Ibn Abu Waqqas "may Allah be pleased with him", in reference to Allah's saying: **{So when they turned away (from the Path of Allah), Allah turned their hearts away (from the Right Path).}** [As-Saff 5] This is confirmed by the Holy Verse of Al 'Imran in which Allah says: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings).}** [Al 'Imran 7]

Sa'd "Allah be pleased with him" included the Haruriyyah in both Holy Verses, because of their deviation as shown in the latter (As-Saff 5) and the three attributes mentioned in the former (Ar-Ra'd 25). The Holy Verse of Surat

(1) Tarikh At-Tabari, 7:200; Al-Bidayah Wan-Nihayah, 9:351.

(2) See Tarikh Dimashq, Ibn 'Asakir 48:196; Ash-Shari'ah, Al-Ajurri 1:217; Al-Qadar, Al-Fariabi 1:248.

Ar-Ra'd is inclusive as regards its wording, even though it is construed to point out the disbelievers in particular, in terms of punishment for the three attributes mentioned above, as defined in the principles⁽¹⁾. The same is true of the Holy Verse of As-Saff, which addresses the people of Moses "peace be upon him". This is why Shu'bah called them, i.e. the Haruriyyah, the wicked (rebellious disobedient), for the meaning of the Holy Verse applies to them: **{And Allah guides not the people who are rebellious, disobedient to Him.}** [As-Saff 5] since they deviated from the truth, they were included in His saying: **{So when they turned away (from the Path of Allah), Allah turned their hearts away (from the Right Path).}**

This means that the Holy Verse is not specific to the Haruriyyah from among the religious innovators in so much as it is common to all who have such mentioned attributes, which go back to deviation, i.e. to turn away from the truth and rather follow the inclinations.. why Sa'd "Allah be pleased with him" construed it to point out the Haruriyyah is because he was asked about them in particular, and Allah knows best. They were the first to make innovations in the religion of Allah. But this does not require specifying it to them in particular. But Sa'd "Allah be pleased with him" denied that the Verse of Al-Kahf should include the Haruriyyah.

But there is a report from 'Ali Ibn Abu Talib "Allah be pleased with him" that he construed **{the greatest losers in respect of their deeds}** to include the Haruriyyah. It is narrated by 'Abd Ibn Humaid⁽²⁾ from Ibn At-Tufail⁽³⁾ that Ibn Al-Kawa' came to 'Ali "Allah be pleased with him" and said: "O Commander of Believers! Who are those intended by Allah's saying: **{Those whose efforts have been wasted in this life while they thought that they were acquiring good by their deeds}**?" [Al-Kahf 104] he said: "The men of Harura' are included in them." The same is transmitted in the comment of Sufyan Ath-Thawri⁽⁴⁾.

It is narrated by Ibn Wahb in his "Jami'" that when he asked him about that Holy Verse, he said to him: "Come up to me so that I would tell you." He was on the pulpit. So, when the man ascended two steps high, he beat him with a stick he had and said to him: "It is you and your companions."

It is further narrated by 'Abd Ibn Humaid on the authority of Muhammad Ibn Jubair Ibn Mut'im⁽⁵⁾ that he said: A man belonging to Banu Awd told me that 'Ali Ibn Abu Talib "Allah be pleased with him" was addressing the people from over the pulpit when Ibn Al-Kawa' cried from the farthest end of the mosque: "O Commander of Believers! Who are **{the greatest losers in**

(1) That is, His saying at the end of the Holy Verse: {on them is the curse (i.e. they will be far away from Allah's Mercy), and for them is the unhappy (evil) home (i.e. Hell).

(2) Tahthib At-Tahthib, 6:455; Siyar A'lam An-Nubala', 12:235.

(3) Siyar A'lam An-Nubala', 23:43; Shatharat Ath-Thahab,, 5:184.

(4) Siyar A'lam An-Nubala', 7:229; Al-Jarh Wat-Ta'dil, 1:55, 4:222.

(5) Tahthib At-Tahthib, 9:91; Al-Bidayah Wan-Nihayah, 9:186.

respect of their deeds}}?" 'Ali said: "You (are one of them)." Then, he was killed on the day of (fighting against) Khawarij. According to some men of Tafsir, 'Ali replied to him: "It is you, people of Harura', and men of showing off, who waste the fruits of the deed with reminder of generosity." The first narration then indicates that the men of Harura' are some of those included in the Holy Verse.

That Allah described them as **{Those whose efforts have been wasted in this life while they thought that they were acquiring good by their deeds}**, thereby attributing error to them although they were thought to be guided, indicates that they are the innovators in their religious deeds in general, who were, first, from the people of Scripture, as told by The Messenger of Allah "peace be upon him": "Every religious innovation is an error." This will be explained in more detail later, Allah willing.

In sum, the explanation given to the Holy Verse by Sa'd that they belong to the Jews and the Christians, does not contradict that of 'Ali that they are the religious innovators in general. That is because both parties agree on innovation in religion. The disbelief of the Christians goes back to their construal of Paradise differently from its reality. That is, the interpretation depending on the opinion (with no support from Shari'ah).

The three Holy Verses then agree on condemnation of the religious innovations. The words of Sa'd Ibn Abu Waqqas "Allah be pleased with him" give the impression that each Quranic verse presents a certain attribute of the religious innovators, not to mention their exposure to condemnation, disgrace and evil reward. They are intended, either by the general wording, or what is meant by the description.

It is narrated by Ibn Wahb that The Prophet "peace be upon him" brought a deed written on a shoulder-blade and said: "It suffices a people for foolishness (or for error) to turn away from what was brought to them by their Prophet to something else other than their Prophet's, or to turn away from their Book to another book." On that occasion, the following was revealed: **{Is it not sufficient for them that We have sent down to you the Book (the Qur'an) which is recited to them?}** [Al-'Ankabut 51]

It is further narrated by 'Abd-Al-Hamid⁽¹⁾ on the authority of Al-Hasan that he said: The Messenger of Allah "peace be upon him" said: "Whoever turns away from my Sunnah is not one of my followers." Then he recited Allah's saying: **{Say (O Muhammad to mankind): "If you (really) love Allah then follow me (i.e. accept Islamic Monotheism, follow the Qur'an and the Sunnah), Allah will love you and forgive you your sins. And Allah is Oft-Forgiving, Most Merciful."}** [Al 'Imran 31]

It is narrated by 'Abd Ibn Humaid and others on the authority of 'Abdullah Ibn 'Abbas "Allah be pleased with them" that he said, commenting

(1) Al-Jarh Wat-Ta'dil, 6:12; Siyar A'lam An-Nubala', 6:148.

on Allah's saying: **{a person will know what he has sent forward and (what he has) left behind (of good or bad deeds)}** [Al-Infitar 5]: "That is, what one sent forward of good or evil deeds, and what he left behind of the items of Sunnah to be acted upon by others after him." He clarified it in more detail according to another narration, saying: "If one sends forward a good deed, and leaves behind a good item of Sunnah to be acted upon by others after him, he will receive a reward like that of those who act upon it, without reducing anything from theirs; and whoever leaves behind an evil item of Sunnah to be acted upon by others after him, he will bear a sin like that of those who act upon it, without reducing anything from theirs." [Ibn Al-Mubarak and others]

It is reported from Sufyan Ibn 'Uyainah, Abu Qilabah⁽¹⁾ and others that they said: "Every religious innovation is humiliated." They attested their argument by Allah's saying: **{Certainly, those who took the calf (for worship), wrath from their Lord and humiliation will come upon them in the life of this world. Thus do We recompense those who invent lies.}** [Al-A'araf 152]

It is narrated by Ibn Wahb on the authority of Mujahid that he said, commenting on Allah's saying: **{Verily, We give life to the dead, and We record that which they send before (them), and their traces and all things We have recorded with numbers (as a record) in a Clear Book}** [Ya Sin 12]: "It means what they sent forward of good, and their traces stand for the errors they left for the people to inherit after them."

It is further narrated by Ibn Wahb on the authority of Ibn 'Awn⁽²⁾ from Muhammad Ibn Sirin⁽³⁾ that he said: "I see that the men of inclinations are the most responsive to apostasy from among the people: **{And when you (Muhammad) see those who engage in a false conversation about Our Verses (of the Qur'an) by mocking at them, stay away from them till they turn to another topic.}** [Al-An'am 68]

It is reported by Al-Ajurri on the authority of Abu Al-Jawza'⁽⁴⁾ that he made a mention of the men of inclinations, and then commented: "By Him in Whose Hand is the soul of Abu Al-Jawza'! that my house is filled with monkeys and pigs is dearer to me than to live in the neighborhood of anyone of those (men of inclinations)." They are indeed included in the general significance of Allah's saying: **{Lo! You are the ones who love them but they love you not, and you believe in all the Scriptures (Torah and Gospel, while they disbelieve in your Book, the Qur'an). And when they meet you, they say, "We believe". But when they are alone, they bite the tips of their fingers at you in rage. Say: "Perish in your rage. Certainly,**

(1) Al-Jarh Wat-Ta'dil, 5:369; Shatharat Ath-Thahab, 2:170.

(2) Tahthib At-Tahthib, 5:346; Siyar A'lam An-Nubala', 6:364.

(3) Al-Bidayah Wan-Nihayah, 9:267; Shatharat Ath-Thahab, 1:138.

(4) Al-Hilyah, 3:78; Shatharat Ath-Thahab, 1:93.

Allah knows what is in the breasts (all the secrets)."} [Al 'Imran 119]

However, there are a lot of Quranic Verses that explicitly and implicitly condemn them, and forbid others to imitate them. So, let us be satisfied with what we have mentioned, since it bears the admonition for him who likes to receive admonition, and the healing of what is in the breasts.

2.2. A Chapter On The Second Source Of Transmitted Texts

The Hadiths narrated from The Messenger of Allah “peace be upon him” in this respect are countless. But, let us mention only what is available to us from among them in this issue, as representative of all, Allah willing, seeking after the most authentic of them.

It is narrated, in an authentic Hadith, on the authority of ‘A’ishah "Allah be pleased with her" that she said: The Messenger of Allah “peace be upon him” said: "Whoever invented anything in this matter of ours (i.e. the religion of Islam) for which there is no support (in its fundamentals), then it should be cancelled (since it is void).”⁽¹⁾ According to another version, he “peace be upon him” said: “He, who innovated anything eccentric from this matter of ours (i.e. our religion of Islam), then, it should be cancelled." However, this Hadith is regarded, by scholars, to constitute one-third the Islam, since it combines the points of opposition to The matter of the Messenger of Allah “peace be upon him”, in which both religious innovation and sin are equal.

It is narrated on the authority of Jabir Ibn ‘Abdullah "Allah be pleased with them" that he said: The Messenger of Allah “peace be upon him” used to open his sermons by saying: “To go further: The best speech is The Book of Allah, and the best guidance is that of Muhammad; the worst of religious affairs is what is invented in it, and every religious innovation is an error.”⁽²⁾ [Muslim]

According to another version, he said: Whenever The Messenger of Allah “peace be upon him” addressed the people in his sermon, he used to praise Allah and laud Him as He deserves. Then, he would say: “Whomever Allah guides (to the straight path), then no one could lead him astray; and whoever goes astray, then, no one could guide him (to the straight path). The best speech is The Book of Allah, and the best guidance is that of Muhammad; the worst of things is what is invented in religion, and every invention in religion is a religious innovation, and every religious innovation is an error.”

According to another narration on the same authority, he said: "and every invention in religion is a religious innovation, and every religious innovation leads to the Hell-fire.” [An-Nasa’i] he mentioned that ‘Umar Ibn Al-Khattab

(1) Sahih Al-Bukhari, Hadith no. 2697; Sahih Muslim, Hadith no. 1718; Ibn Majah, Hadith no. 14; Abu Dawud, Hadith no. 4606.

(2) Sahih Al-Bukhari, Hadith no. 7277, and on the authority of Ibn Mas‘ud, no. 6098; Ibn Majah, Hadith no. 42, 45; Abu Dawud, Hadith no. 4607; At-Tirmithi, Hadith no. 2678; Ahmad, 3:319, 371; Ad-Darimi, Hadith no. 206.

"Allah be pleased with him" used to open his sermons with this statement.

It is narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he used to say (in his sermons): "Verily, they are only two (which should be followed): (Allah's) speech and (the Prophetic) guidance. The best speech is that of Allah (the Qur'an), and the best guidance is that of Muhammad "peace be upon him". Behold! Beware of what is invented in the affairs (of religion), since the worst of things is what is invented (in the religion), and everything invented in religion is indeed a religious innovation."⁽¹⁾ According to another version, he said: "But (unfortunately), you would invent things in the affairs of religion, and new things would be invented to you in the affairs of religion (which have no support in the fundamentals). (For this reason, it should be known to you that) everything invented in religion is an error, and every error leads to the Hell-fire."⁽²⁾ Ibn Mas'ud "Allah be pleased with him" used to open his sermons with those words every Thursday.

It is further narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he used to say (in his sermons): "Verily, they are only two (which should be followed): (Allah's) guidance and speech. No doubt, the best (or the truest) speech is that of Allah (the Qur'an), and the best guidance is that of Allah and that of Muhammad "peace be upon him". Verily, the worst of things is what is invented (in the religion), and everything invented in religion is indeed a religious innovation. Behold! Let not the long life (which you live) make you heart-hardened! Behold! That (death which your longevity lets you think it is too far to come) is nigh to come; and what is really far is that which comes not."

It is narrated on the same authority that he said: "The best speech is that of Allah (the Qur'an), and the best guidance is that of Muhammad "peace be upon him"; and the worst of things is what is invented (in the religious affairs): **{Surely, that which you are promised will verily come to pass, and you cannot escape (from the Punishment of Allah).}** [Al-An'am 134]

It is narrated on the authority of 'Abdullah Ibn Mas'ud "Allah be pleased with him" that the Messenger of Allah "peace be upon him" said: "Behold! I warn you of the invented things pertaining to the matter (of religion, which has no reference in the Qur'an and Sunnah), for indeed, every invented thing in religion is a religious innovation, and every religious innovation is an error."

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "He who called (people) to (an item of) guidance, would receive a reward like the rewards of those who followed it, without reducing anything from their rewards at all. He who called (people) to error, would bear a sin, like the sins of

(1) At-Tabarani, Hadith no. 8518. [See Jam' Al-Jawami', As-Suyuti 1:9302].

(2) Juz' Imla' An-Nasa'I, 1:59 Hadith no. 20.

those who committed it, without reducing anything from their sins at all.”⁽¹⁾

It is narrated on the authority of Jarir Ibn ‘Abdullah "Allah be pleased with him" that the Messenger of Allah “peace be upon him” said: “He, who introduced some good practice in Islam which was followed after him (by people), would receive a reward for it like that of those who followed it, without reducing anything from their reward at all. On the other hand, he who introduced some evil practice in Islam which was followed after him (by others), would receive a sin like that of those who followed this (evil practice) without reducing anything from theirs at all.” [At-Tirmithi⁽²⁾ I]

It is narrated on the authority of Al-‘Irbad Ibn Sariyah "Allah be pleased with him" that he said: One day, the Messenger of Allah “peace be upon him” stood and addressed us (with a good sermon, in which he) gave us a perfect instruction because of which the hearts became in terror, and the eyes shed tears. Then, it was said: “O Messenger of Allah! Verily, you’ve given us the instruction of the one who is going to leave us. So, advise us to do a deed (by which we would hold fast!)” on that he said: “I advise you to (ward off evil and) safeguard yourselves against (the punishment of) Allah; and to hearken and obey (your ruler) even though he is an Abyssinian slave. No doubt, you will see after my (death) a great dispute (among the people which leads to their division and deviation from the right path): so, I advise you to follow my Sunnah, and the tradition of the rightly-guided well-directed successors (of me), to which you should stick firmly (and on which you should show constant patience); and I further warn you of the religious innovations (which have no reference in Allah’s Book and the Sunnah of His Messenger “peace be upon him”), for indeed, every religious innovation is an error.” [At-Tirmithi and Abu Dawud]⁽³⁾

It is narrated in an authentic Hadith on the authority of Huthaifah "Allah be pleased with him" that he said: "O Messenger of Allah! Will there be evil after this good?" The Messenger of Allah “peace be upon him” said: "Yes: a people will follow a way other than mine, and copy a guidance other than mine." I further asked: "Will there be evil after that evil?" he said: "Yes: advocates on the fire of Hell, and whoever responds to them, they will throw him into it." I said: "O Messenger of Allah! Describe them to us." He said: "Well: they will be from our fellow-citizens and speak our language." I said: "Then, what do you command me to do if this time comes upon me?" he said: "Stick to the established group and the Imam of Muslims." I asked: "Then, if there is neither an established group nor an Imam (what should I do)?" he said: "Then, leave all those sects, even if you will keep biting the stem of a tree until

(1) Sahih Muslim, Hadith no. 2674; At-Tirmithi, Hadith no. 2676; Ibn Majah, Hadith no. 206.

(2) Ahmad, 4:357, 4:360, and 4:361 on the authority of Jarir Ibn ‘Abdullah; Ibn Majah, Hadith no. 207; At-Tirmithi, Hadith no. 2815; and An-Nasa’i, 5:76.

(3) This Hadith is not narrated by Abu Dawud with the same Isnad and wording. But it is rather narrated by Ibn Majah, no. 42.

death approaches you while you are in this state." The same is narrated by Al-Bukhari, but with a slight variation of wording⁽¹⁾.

The Messenger of Allah "peace be upon him" further said in the Hadith of the scroll: "Medina is a sanctuary from 'Air to Thawr (mountains). He who innovates in this territory heresies in Islam, commits a sin therein, or shelters the innovators, will incur the Curse of Allah, the angels, and all the people, and Allah will accept from him neither repentance nor a ransom (or neither an obligatory nor a supererogatory deed) on the Day of Judgment." ⁽²⁾ This Hadith ⁽³⁾ is general, and includes every kind of innovation made in it that opposes the Shari'ah. No doubt, the religious innovations are among the most odious in this respect. Malik attested it for a similar issue, and it will be mentioned in its proper place, Allah willing. Regardless of being specific to Medina, other cities also are included in its general significance.

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that once, The Messenger of Allah "peace be upon him" went out to the graveyard (of Medina) and said: "Peace be upon you, the (inhabitants of the) home of those who believe! We shall join you, Allah willing. I wish that I had seen our brothers!" The people who were with him said: "O Messenger of Allah! Are we not your brothers?" He said: "No, you are my companions. Our brothers are those who have not yet come. And I will precede them to the Lake-Fount." They asked him: "O Messenger of Allah! How will you recognize those of your community who come after you?" He said: "Doesn't a man who has horses with white legs and white blazes on their foreheads among totally black horses recognize which ones are his own?" They said: "Of course, O Messenger of Allah." He said: "Even so will they come on the day of Judgment with white marks on their foreheads, hands and feet, due to (the traces of) ablution, and I will precede them to the Lake-Fount. Some men will be driven away from the Lake-Fount as if they were straying camels and I shall call out to them: 'Will you not come? Will you not come? Will you not come?' It will be said to me: 'They changed things (in the religion) after you,' so I shall say: 'Then away with them, away with them, away with them!' " [Al-Muwatta' ⁽⁴⁾]

This Hadith is construed, by some scholars to point out the religious innovators, and by others to identify the apostates from Islam.

(1) Al-Bukhari, Hadith no. 7084; Abu Dawud also in meaning, Hadith no. 4246; Ibn Majah, but abridged, Hadith no. 3981; Ahmad, 5:386.

(2) This Hadith is narrated on the authority of Yazid Ibn Sharik Ibn Tariq from 'Ali Ibn Abu Talib. [Al-Bukhari and Muslim: see Riyad As-Salihin no. 1804].

(3) He refers to the Hadith narrated on the authority of 'Ali "Allah be pleased with him" in which he said: We have nothing except the Book of Allah and this written paper from The Prophet "peace be upon him" (in which is written): Medina is a sanctuary from the 'Air Mountain to such and such a place..." Al-Bukhari 1870, 3172, 6755, 7300; At-Tirmithi, Hadith no. 2210; Abu Dawud, Hadith no. 2034; Ahmad, 1:126, 151, 2:398.

(4) Malik in Al-Muwatta', Hadith no. 6911; Al-Bukhari, Hadith no. 6575-89, 6593, 7048-51; Abu Dawud, Hadith no. 4745-48; Muslim, Hadith no. 2299; Ibn Majah, Hadith no. 4306; and Ahmad, 1:257, 384, 403, 2:408-18, 4:313, 5:41-48.

The first is attested by the narration transmitted by Khuthaim Ibn Sulaiman⁽¹⁾ on the authority of Yazid Ar-Raqashi⁽²⁾ that he said: I said to Anas Ibn Malik "Allah be pleased with him": "There are some people who render us disbelievers and polytheists, and give lie to the Lake-Fount and intercession. Have you heard anything from The Messenger of Allah "peace be upon him" in this respect?" he said: Yes, I heard The Messenger of Allah "peace be upon him" having said: "Nothing separates a servant from disbelief or polytheism except the prayer: if he leaves it, he then will have become a polytheist. My Lake-Fount will be (as wide as is the distance) between Ailah and Mecca, and its jugs (as numerous) as the stars of the sky (or as much as is the number of the stars of the sky), and it has two spouts springing from Paradise, and whenever its water is used up, they provide it with more. Whoever drinks even a sip from it, he will never become thirsty afterwards. Some people of shrunken lips will come upon it (to drink), but they will not be able to get even a single drop thereof. Whoever gives lie to it today (in this world) will not drink from it on that day (of Judgment)." ⁽³⁾

This Hadith indicates that they belong to the Muslims. From among them, it is the Khawarij who ascribe the Muslims to disbelief, whereas it is the Mu'tazilah who give lie to the Lake-Fount and intercession. Furthermore, that The Messenger of Allah "peace be upon him" will say to them (on the Day of Judgment), according to the Hadith of Muwatta', 'Will you not come' means that he will recognize them, by the brightness of their foreheads, hands and feet, and this is characteristic only of the people of his ummah; and had they not been from his ummah, he then would not have recognized them by the mentioned sign.

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with both" that he said: The Prophet "peace be upon him" said: "You will be gathered (on the Day of Judgment), bare-footed, naked and not circumcised." He then recited: **{As we began the first creation, we, shall repeat it: A Promise We have undertaken: Truly we shall do it.}** [Al-Anbiya' 104] He added: "The first to be dressed on the Day of Judgment, will be Abraham. Some of my ummah will be brought and then taken towards the left side (the Hell Fire), and I will say: "My companions! My companions!" It will be said: "They reneged and turned back on their heels after you had left them." Then I will say as the Pious slave of Allah (Jesus) said: **{I was a witness over them while I dwelt amongst them. When You took me up You were the Watcher over them, and You are a witness to all things. If You punish them, they are Your slaves and if You forgive them, Verily You are the All-Mighty,**

(1) Siyar A'lam An-Nubala', 15:412; Shatharat Ath-Thahab, 2:365.

(2) Tahthib At-Tahthib, 11:309.

(3) At-Tirmithi, Hadith no. 2621; Abu Dawud, Hadith no. 4678; Ibn Majah, Hadith no. 1078; An-Nasa'i, 65; Ma'alim As-Sunan, 5:58.

the All-Wise.} [Al-Ma'idah 117-118] ⁽¹⁾

This Hadith may be construed to point out the religious innovators, like that of Al-Muwatta', or the apostates who renegade from Islam after The Messenger of Allah "peace be upon him".

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that The Messenger of Allah "peace be upon him" said: "The Jews were divided into seventy-one sects; and so were the Christians; and my (Muslim) ummah will be divided into seventy-three sects (all of which will be in fire except for one)." [At-Tirmithi]

There are many narrations like those, and they will be discussed later, Allah willing. But in the view of most religious scholars, the religious innovators constitute the greater part of those sects.

In an authentic Hadith, the Messenger of Allah "peace be upon him" said: "Allah does not remove the knowledge, by taking it away from (the hearts of) the people. But he removes it by causing the religious learned men to die. When no one of them remains, people will take as their leaders ignorant persons who, when consulted, will give their religious opinion without knowledge. So they will go astray and mislead the people too." ⁽²⁾

It is narrated on the authority of 'Abdullah Ibn Mas'ud "Allah be pleased with him" that he said: "He, who likes to meet Allah tomorrow as a Muslim, should keep offering those (obligatory congregational) prayers, once the call for prayer is pronounced for them. That is because Allah has laid down for your Prophet "peace be upon him" the ways of right guidance, from amongst which are those (prayers). If you pray in your houses as this man who fails to attend (the congregational prayer in the mosque and) prays in his house, you would give up the tradition of your Prophet "peace be upon him"; and if you give up the tradition of your Prophet "peace be upon him", you would go astray. No man, purifies himself (by performing ablution) perfectly, then aims at one of those mosques except that Allah would record a good deed in his favour for every step he takes, raise him a degree, and efface a sin from him because of it. I witnessed the time when no one failed to attend it, except a hypocrite famous for his hypocrisy. Therefore, a (sick) man would be brought with the help of two men till he was set up in a row." [Sahih Muslim ⁽³⁾]

Consider here how he made the abandonment of the right way of The Messenger of Allah "peace be upon him" equal to going astray.

According to another narration, he said: "...and if you leave the Sunnah of your Prophet "peace be upon him" you would then become disbelievers." It is

(1) Al-Bukhari, Hadith no. 3349 & 3447, 6524-25-26-27, 4625-26, 4740; At-Tirmithi, Hadith no. 2539; Ahmad, 1:223-229, 235, 253.

(2) It is narrated on the authority of 'Abdullah Ibn 'Amr Ibn Al-'As. Al-Bukhari, Hadith no. 100, 7307; Ibn Majah, Hadith no. 52; Ahmad, 2:162, 190, 203; Ad-Darimi, Hadith no. 239.

(3) Sahih Muslim, Hadith no. 257[654; Ibn Majah, Hadith no. 777; Ahmad, 1:382, 414, 914.

indeed more severe as warning.

The Messenger of Allah "peace be upon him" further said: "I am going to leave among you two prominent things: the first is the Book of Allah in which there is right guidance and light. Whoever holds fast to it will be on the right guidance; and whoever fails to stick to it will go astray." According to another narration, he said: "Whoever follows it will be on the right guidance; and whoever leaves it will be on error."⁽¹⁾

A mention may be made also, in this issue, of the narration on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "There will appear among my ummah imposters and liars, who will bring to you invented Hadiths which neither you nor your fathers ever heard about. So, beware, lest they would tempt you (from your religion)." [Ibn Waddah and Ibn Wahb⁽²⁾]

The Messenger of Allah "peace be upon him" said: "Whoever revives an act of my Sunnah that was (abandoned by the people and caused to) die after me, would have a reward like that of those who acted upon it, without reducing anything from the reward of the people; and whoever innovated a religious heresy, disapproved of by Allah and His Messenger, would have a sin like that of those who acted upon it, without reducing anything from the sins of the people."⁽³⁾ [At-Tirmithi who renders it Hasan⁽⁴⁾]

It is narrated on the authority of 'A'ishah "Allah be pleased with her" that she said: The Messenger of Allah "peace be upon him" said: "He, who comes to a religious innovator, out of showing respect for him, will have contributed in ruining Islam." [Ibn Waddah and others]

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" from The Messenger of Allah "peace be upon him" that he said: "If you like that you would not stop on the Sirat more than an eye twinkle until you enter Paradise, make no innovation in the religion of Allah, relying on your independent opinion."⁽⁵⁾

The Messenger of Allah "peace be upon him" further said: "Whoever emulates me is one of my followers; and whoever turns away from my Sunnah is not one of my followers."⁽⁶⁾

(1) It is narrated on the authority of Zaid Ibn Arqam. Sahih Muslim Hadith no. 2408; Abu Dawud, Hadith no. 1905; Ibn Majah, Hadith no. 3074; Ahmad, 1:14, 17, 26, 4:367; Ad-Darimi, 3:316.

(2) Muslim, Hadith no. 7:7; Abu Dawud, Hadith no. 4252.

(3) It is narrated on the authority of Kathir Ibn 'Abdullah Al-Muzni from his father from his grandfather. [Kitab Al-Bida' by Ibn Waddah 1:97].

(4) Sunan At-Tirmithi, Hadith no. 2818.

(5) It is narrated on the authority of Abu Hurairah: fabricated. [Sharh Al-'Aqidah At-Tahawiyyah, Al-Albani, 1:469].

(6) It is narrated by 'Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

It is narrated by At-Tahawi that The Messenger of Allah “peace be upon him” said: “I curse six (types of men) who have been cursed by Allah Almighty and every Prophet whose invocation receives answer: the one who adds things in the religion of Allah (which have no reference in the Qur'an and the Sunnah); the one who gives lie to the fate (and Divine Decree); the one who is given authority, with oppression to humiliate whomever Allah honors, and honor whomever Allah humiliates; the one who leaves my Sunnah; the one who makes lawful what has been made unlawful by Allah; and the one who makes lawful from my household what Allah has made lawful for them.”⁽¹⁾

The same is narrated by Abu Bakr Ibn Thabit Al-Khatib, in which The Messenger of Allah “peace be upon him” said: “Allah Almighty cursed six, and I also cursed them, including the one who turns away from my Sunnah to a religious innovation.”

The Messenger of Allah “peace be upon him” further said: “Verily, every worshipper entertains (a time of) earnest activity (in the beginning of worship), after which he weakens, to regularly do either an act of Sunnah or a religious innovation. So, he, whose weakness leads him to an act of Sunnah has been guided; and he, whose weakness leads him to a religious innovation has been ruined.”⁽²⁾

It is narrated on the authority of Mujahid “may Allah have mercy upon him” that he said: I, along with Yahya Ibn Ja’dah, entered upon a man from the Ansar, belonging to the Companions of The Messenger of Allah “peace be upon him”, who said: A mention was made to The Messenger of Allah “peace be upon him” of a freed slave-girl belonging to Banu ‘Abd-Al-Muttalib, saying: “She spends the whole night standing (in prayer), and the whole day fasting.” On that The Messenger of Allah “peace be upon him” said: “As for me, I stand (a part of the night) and sleep (a part of the night), and observe fast (for many days) and leave fasting (for many days). Whoever then emulates me is one of my followers, and whoever turns away from my Sunnah is not one of my followers. Every worshipper entertains (a time of) earnest activity (in the beginning of worship), after which he weakens. So, he, whose weakness leads him to a religious innovation has been ruined; and he, whose weakness leads him to an act of Sunnah has been guided.”⁽³⁾

It is narrated on the authority of ‘Abdullah Ibn Mas’ud “Allah be pleased with him” that The Messenger of Allah “peace be upon him” said: “No doubt, these who will receive the most severe punishment on the Day of Judgment will be a man who killed a Prophet, or a man killed by a Prophet (in the Cause

(1) It is narrated on the authority of ‘Amrah Bint ‘Abd-Ar-Rahman from ‘A’ishah. Al-Bayan Fi Mushkil Al-Athar, At-Tahawi, 8:187.

(2) It is narrated on the authority of ‘Abdullah Ibn ‘Amr. See Bayan Mushkil Al-Athar 3:169; Musnad Ahmad 2:158, 165.

(3) See Bayan Mushkil Al-Athar 3:169-170.

of Allah), an oppressing ruler, and a picture maker." ⁽¹⁾

It is narrated on the authority of ‘Abdullah "Allah be pleased with him" that The Messenger of Allah "peace be upon him" said: "There will appear after me rulers who will delay the (obligatory) prayer from its due time, thereby making innovations (in the religion)." ‘Abdullah Ibn Mas‘ud said: "Then, what should I do if I catch them?" The Prophet "peace be upon him" said: "Do you ask me what to do O Ibn Umm ‘Abd? No obedience is due to anyone who disobeys Allah." [Muntaqa Hadith Khuthaim ⁽²⁾]

It is narrated on the authority of Abu Sa‘eed Al-Khudri "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "Whoever eats only what is good and lawful, does his deeds in according with the Sunnah, and the people become safe from his evils, will enter Paradise." A man said: "O Messenger of Allah! This (type of man) exists in great number among the people in those days." He "peace be upon him" said: "And will exist also many generations after me." [At-Tirmithi ⁽³⁾] ⁽⁴⁾

It is narrated by At-Tahawi on the authority of ‘Abdullah Ibn Amr Ibn Al-‘As "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "How would you be at a time, which is about to come, when the people will be sifted (with the result that the best of them will be taken away), and there will remain only the dregs (and the worst) of them, whose pledges and trusts will be wasted, and they then will become at variance as such" and he intertwined his fingers. They said: "Then, how would we do O Messenger of Allah when such (a time) will be?" he said: "Act upon (the truth) that you approve of, and leave (the innovations and heresies) that you disapprove of; and further, stick to those near to you (in kinship and service), and leave the affairs of the lowly among you." ⁽⁵⁾

It is narrated by Ibn Wahb in a Mursal Hadith from The Messenger of Allah "peace be upon him" that he said: "Beware of the variety of ways." They asked: "What are the variety of ways O Messenger of Allah?" he said: "The inclinations (and desires)." ⁽⁶⁾

It is further narrated by him that The Messenger of Allah "peace be upon him" said: "No doubt, Allah admits a servant to Paradise by virtue of items of Sunnah to which he sticks."

It is narrated on the authority of Al-Walid Ibn Muslim ⁽⁷⁾ from Mu‘ath Ibn Jabal "Allah be pleased with him" that The Messenger of Allah "peace be upon

(1) It is narrated by At-Tahawi. Ahmad, 1:407, 2:492. See also Fath Al-Bari 17:56.

(2) Ahmad, 1:400, 409, 5:325, 329, 5:231; Ibn Majah, Hadith no. 2865.

(3) Sunan At-Tirmithi, Hadith no. 2640.

(4) Tuhfat Al-Ahwathi, 6:312.

(5) Sunan Abu Dawud, Hadith no. 4342; Sunan Ibn Majah, Hadith no. 3957; Ahmad, 2:220-21.

(6) Ahmad, 5:233, 243.

(7) Al-Jarh Wat-Ta‘dil 9:16; Tahthib At-Tahthib, 11:151.

him” said: "If the religious innovations are made among my ummah, and my Companions are abused, let everyone endued with knowledge demonstrate his knowledge; and whoever does not do, let the curse of Allah, the angels and all the people be on him."⁽¹⁾ ‘Abdullah Ibn Al-Hasan⁽²⁾ said: I asked Al-Walid Ibn Muslim: "What is to demonstrate the knowledge?" he said: "It is to publicize the Sunnah."

It should be known to the successful that some of the Hadiths mentioned here are not authentic. We have just brought them in application of the rules and principles stipulated by the traditionalists and Hadith scholars, concerning the Hadiths of exhortation and intimidation. It has been proven then that the religious innovations and their perpetrators are condemned by incisive evidence from the Qur'an and the authentic Prophetic Sunnah. So, there is no blame to bring anything more in this respect (regardless of being authentic), Allah willing.

(1) Al-Qadi ‘Ayad in *Sharh Ash-Shifa’* 5:520; Abu Dawudk Hadith no. 4658; At-Tirmithi, Hadith no. 4122; Ibn Majah, Hadith no. 161.

(2) Al-Bidayah Wan-Nihayah, 11:107; Siyar A‘lam An-Nubala’ 13:536.

3.2. A Chapter on the Third Source of Transmitted Texts

Many texts in condemnation of religious innovations are transmitted from the righteous predecessors, including the Companions and their followers,. A mention may be made of the following:

It is narrated on the authority of ‘Umar Ibn Al-Khattab "Allah be pleased with him" that he addressed the people saying: "O People! The Sunan have been laid down for you, and the obligations have been enjoined upon you. You have been left on a clear way unless you lead people astray rightward and leftward." He struck one of his hands against the other and then said: "Take care lest you neglect the Holy Verse of stoning to death so that one will say: "We do not find two legal punishments in the Book of Allah." The Messenger of Allah "peace be upon him" stoned to death, and so we have stoned to death (the married adulterers). By Him in Whose Hand my soul is, had it not been for the fact that people would say that ‘Umar Ibn Al-Khattab has added to the Book of Allah Almighty, we would have written it: "The full-grown (married) adulterer and the full-grown married adulteress, stone them to death." We have certainly recited that." ⁽¹⁾

It is narrated in an authentic Hadith on the authority of Huthaifah ⁽²⁾ "Allah be pleased with him" that he said: "O assembly of Reciters (of the Qur'an)! Stand straight on the path, for then you have taken a great lead (and will be the leaders), but if you divert right or left, then you will go astray far away." ⁽³⁾

It is narrated through another chain of transmitters that he "Allah be pleased with him" used to enter the mosque and stand facing the people and say: "O assembly of Reciters (of the Qur'an)! Follow the straight path, for if you follow it, you have taken a great lead (to good), but if you deviate right or left, then you will go astray far away." According to the narration of Ibn Al-Mubarak: "By Allah, if you stand straight on the path, you have taken a great lead (to good)...to the end of the Hadith.

It is narrated on the same authority that he "Allah be pleased with him" said: "I fear two things most for the people: to give preference to what they see

(1) Al-Bukhari, Hadith no. 6830; Abu Dawud, Hadith no. 4418; At-Tirmithi, Hadith no. 1432; Ibn Majah, Hadith no. 2553; Muwatta' Malik, Hadith no. 1512; and Ahmad in his Musnad, 1:23, 29, 36, 40, 43, 47, 50, 55.

(2) Al-Jarh Wat-Ta'dil, 3:256; Tahthib At-Tahthib, 2:219.

(3) It is narrated on the authority of Hammam. [Sahih Al-Bukhari, Hadith no. 7282].

over what they really know, and to go astray while they feel not."⁽¹⁾ According to Sufyan, he means the religious innovator.

It is narrated on the authority of Huthaifah "Allah be pleased with him" that he took two stones and placed one of them over the other and then said to his companions: "Do you see the light that is between those stones?" they said: "O Abu 'Abdullah! We do not see light between them but a very little." On that he said: "By Him in Whose Hand is my soul, the religious innovations will emerge so much that nothing of the truth will be seen more than the light that is between those two stones. By Allah, the religious innovations will spread so much that if anyone of them is left, it will be said that an act of Sunnah has been left."⁽²⁾

It is narrated on the authority of Huthaifah "Allah be pleased with him" that he further said: "The first thing you will lose of your religion is honesty, and the last thing you will lose is the prayer. Islam's hantholds will be broken one by one; you will have sexual relations with your wives while menstruating; and you will follow the very ways of those who were before you, identically and indistinguishably; and from among many sects, two will survive: one will say: "What is the matter with the five (obligatory) prayers? Those who were before us went astray. Allah Almighty said: **{And establish prayer at the two ends of the day and in some hours of the night.}** [Hud 114] You should perform only three (rather than five) prayers (per day)." The other will say: "Assuredly, the faith of the believers in Allah is like that of the angels, and among us there is neither a disbeliever nor a hypocrite." Therefore, it is incumbent upon Allah to muster both in the company of Ad-Dajjal."⁽³⁾

That is almost the same meaning of the Hadith narrated on the authority of Abu Rafi' "Allah be pleased with him" from the Messenger of Allah "peace be upon him" that he said: "I do not (like to) see anyone of you sitting on his bed, while being informed of that which I've commanded (you to do) or that which I've forbidden (you to do), thereupon he would say (by way of denial): "I do not know! We only follow that which we find in Allah's Book.""⁽⁴⁾

That is because the Sunnah came to explain the Book of Allah. Whoever acts upon the Book with no knowledge of the Sunnah will indeed slip from the Book in the same way as he slips from the Sunnah. That is the significance of the statement of those who say: "Those who were before us went astray."

Those traditions transmitted from Huthaifah "Allah be pleased with him" are narrated by Ibn Waddah.

(1) Kitab Al-Bida', Ibn Waddah 1:88.

(2) Ahmad, 4:232; Kitab Al-Bida', Ibn Waddah 1:163.

(3) Kitab Al-Mustadrak, 7:41; Kitab Al-Bida', 1:165.

(4) Sunan Ibn Majah, Hadith no. 13; Abu Dawud, Hadith no. 4605; At-Tirmithi, Hadith no. 2663; Ad-Darimi, 586; Ahmad, 4:132; Al-Hakim in Al-Mustadrak, 1:108; Al-Baghawi in Sharh As-Sunnah, Hadith no. 100.

It is narrated by Ibn Waddah too from Ibn Mas'ud "Allah be pleased with him" that he said: "Follow only our traditions, and make no innovations in the religion, since you were sufficed (from adding more)." ⁽¹⁾

It is narrated by Ibn Wahb from Ibn Mas'ud "Allah be pleased with him" too that he said: "Athere to knowledge before it will be withheld, and it will be withheld by taking away its men. Athere to knowledge for anyone of you does not know when he will be in need of what he has. You will find people claiming that they invite to the Book of Allah, even though they have discarded it behind their back. So, athere to knowledge, and beware of innovation (in religion), pedantry and sophistry, and rather stick to the tradition." ⁽²⁾

It is narrated also that he said: "There is no year but that the coming year is worse than it. I do not say a year rainier than another, more fertile than another, or in which there is a ruler better than another. But the matter is that your religious scholars and the good men among you will disappear (gradually year after year), until a people will come who will make analogies just according to their independent opinions, thereupon Islam will be ruined and lose power." ⁽³⁾

He further said: "What will you do when encountering an affliction in which the youth would grow old and the young would be brought up, to the extent that the people would think it to be out of Sunnah, and if it is changed, they will say: "That is indeed an evildoing.""

He also said: "O people! Avoid religious innovations, pedantry and sophistry. Stick to the tradition, and take only what you approve of, and leave what you disapprove of."

He also said: "No doubt, to be moderate in the Sunnah is much better than to be hard-working in the religious innovation." ⁽⁴⁾

The same meaning is narrated from The Prophet "peace be upon him", in which he said: "To do little in an act of Sunnah is much better than to do much in a religious innovation." ⁽⁵⁾

He (Ibn Mas'ud) "Allah be pleased with him" further said, according to the narration of Al-Qasim Ibn Usbugh: "The one who will receive the most severe punishment on the Day of Judgment will be a misguided ruler who misled the people with something other than what was revealed by Allah

(1) Ad-Darimi, Hadith no. 205.

(2) Ad-Darimi, Hadith no. 142; and Ibn Majah, Hadith no. 228.

(3) Sunan Ad-Darimi, Hadith no. 188; Jami' Al-Ahadith, Hadith no. 40429; Fath Al-Bari, Ibn Hajar, 13:282.

(4) Ad-Darimi, Hadith no. 217.

(5) It is narrated on the authority of Al-Hasan, elevating it to The Messenger of Allah "peace be upon him" with this addition: "He, who copies my way is one of my followers; and he who leaves my way is not one of my followers." [See Musannaf 'Abd-Ar-Razzaq Hadith no. 20568]; it is narrated also by Sa'eed Ibn Mansur in his Sunan; Ad-Dailami in Al-Firdaws, Ar-Rafi'I on the authority of Abu Hurairah [see Kanz Al-'Ummal 1096].

Almighty; a picture maker; and a man who killed a Prophet or was killed by a Prophet."⁽¹⁾

It is narrated on the authority of Abu Bakr As-Siddik "Allah be pleased with him" that he said: "I will not leave anything which The Messenger of Allah "peace be upon him" used to do but that I will do it myself, for fear that if I leave anything thereof, I will deviate (from the truth)."⁽²⁾

It is narrated by Ibn Al-Mubarak⁽³⁾ that 'Umar Ibn Al-Khattab "Allah be pleased with him" learnt that Yazid Ibn Abu Sufyan used to eat various types of food in one meal. He said to a freed-slave belonging to him called Yarfa': "If you learn that he is taking his supper, then, inform me." When the time of his supper came, the slave informed him, thereupon 'Umar "Allah be pleased with him" went to him. He greeted him and sought his permission to be admitted. He entered and Tharid covered with meat was served, which 'Umar "Allah be pleased with him" shared with him. Then, roasted meat was served, but 'Umar did not eat. When Yazid stretched his hand towards it (to eat), 'Umar said to him: "By Allah, O Yazid Ibn Abu Sufyan! Do you eat more than one kind of food in one meal? By Him in Whose Hand is the soul of 'Umar! If you swerve from their Sunnah, you would be made to deviate from their right way."⁽⁴⁾

It is narrated on the authority of Ibn 'Umar "Allah be pleased with them" that he said: "The prayer on journey is two rak'ahs (for each obligatory prayer): whoever deviates from the Sunnah (in this respect) has indeed disbelieved."⁽⁵⁾

It is narrated by Al-Ajurri on the authority of As-Sa'ib Ibn Yazid "Allah be pleased with him" that he said: Somebody came to 'Umar Ibn Al-Khattab "Allah be pleased with him" and said: "O Commander of Believers! So and so seeks after the interpretation (of the hidden meanings) of the Qur'an." He said: "O Allah! Cause me to get hold of him." One day, while 'Umar "Allah be pleased with him" was serving the people with the early meal, this man came having a dress and a turban. He took his meal, and when he finished, he said: "O Commander of Believers! Tell me about: **{By (the winds) that scatter dust; and (the clouds) that bear heavy weight of water.}** [Ath-Thariyat 1-2] on that 'Umar "Allah be pleased with him" said to him: "Is it you (about whom I was told)?" he stood towards him with his arms uncovered and went on lashing him until his turban fell down from his head. He said to him: "By Him in Whose Hand is my soul! Had I found you head-shaven, I would have lashed you on the head. Dress him in his dress and carry him on a camel until you bring him back to his city and then let him address the people saying:

(1) Ahmad in his Musnad, 1:407.

(2) Al-Bukhari, Hadith no. 3093; Abu Dawud, Hadith no. 2963; Ahmad, 1:6.

(3) Siyar A'lam An-Nubala', 8:378; Al-Jarh Wat-Tail, 5:179.

(4) Ibn Al-Mubarak in Az-Zuhd, 578; Ibn Hajar in Al-Isabah, 3:656.

(5) Ahmad in his Musnad, 2:83, 400.

"Subaigh⁽¹⁾ (the man's name) sought after knowledge and erred." From this time on, he became lowly among his people, and before that he had been honored among them.⁽²⁾

It is narrated by Ibn Al-Mubarak and others on the authority of Ubai Ibn Ka'b "Allah be pleased with him" that he said: "Athere to the right way and the Sunnah. Indeed, no one on the surface of the earth, following the right way and the Sunnah, mentions Allah Almighty thereupon his eyes overflow with tears for fear of Allah, and he is ever punished by Allah Almighty; and no one on the surface of the earth, following the right way and the Sunnah, mentions Allah Almighty, thereupon his skin trembles but that his example is like a tree of withered leafs: as well as they fall from it when exposed to a strong wind, Allah Almighty effaces from him his sins and misdeeds. It should be known that to be moderate in the Cause of Allah and the Sunnah is much better than to work hard in something other than the Cause of Allah and the Sunnah. Endeavor to make your deed, be it moderate or hard, on the method and Sunnah of the Prophets."⁽³⁾

It is narrated by Ibn Waddah on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: "No year comes upon the people but that they revive a religious innovation and cause to die an act of Sunnah, until the religious innovations will revive, and the acts of Sunnah will die."

It is narrated on the authority of him too that he said: "Athere to the tradition, and avoid religious innovations."⁽⁴⁾

It is narrated by Ibn Wahb on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: "He, who invents an opinion (in the religion), which has no reference in the Book of Allah or in the Sunnah of the Messenger of Allah "peace be upon him" will not know on which state he will meet Allah Almighty when he meets Him."

It is narrated by Abu Dawud and others on the authority of Yazid Ibn 'Umairah from Mu'ath Ibn Jabal "Allah be pleased with him" that he said: "There will be after you afflictions, in which the wealth will become in abundance, and the Qur'an will be opened (i.e. become in circulation among the people) that it will be recited by both the faithful believer and the hypocrite, both man and woman, both the old and the young, and both the slave and the free one; and one will be about to say: "What is the matter with the people that they do not follow me, even though I recite the Qur'an: they seem not to follow me until I innovate for them something other than it." So, beware of following what will be innovated (in religion), for whatever is innovated (other than the Qur'an) is error; and I beware you of the deviation

(1) Ibn Hajar in Al-Isabah, no. 4118.

(2) Sunan Ad-Darimi, Hadith no. 144, 148.

(3) Kitab Az-Zuhd, 21; Abu Na'eem in Al-Hilyah, 1:252.

(4) Ad-Darimi, Hadith no. 143.

of the wise man, for Satan might say the word of falsehood on the tongue of a wise man, and at the same time, a hypocrite might (be made to) utter the word of truth." I (Yazid) asked Mu'ath: "How should I know, Allah's Mercy be upon you, that a wise man might say a word of falsehood, and a hypocrite might say a word of truth?" he said: "Behold! Avoid such of the statements of the wise man as famous (for falsehood and deviation among the people that) in connection with which it is asked: "What are they?" but, let not that cause you to keep yourself away from him, for perchance he might retract (from falsehood and error); and, at the same time, receive the truth once you hear it, for there is always light on the truth (by which it is distinguished from falsehood)." ⁽¹⁾

According to another version, he said: "And avoid the suspicious statements, that is, such of arguments as whose meaning is unclear and ambiguous on you, that you ask about it saying: "What is intended by this?" he means, and Allah knows best, those of statements whose apparent wording does not include the content of the Sunnah and thus is disapproved of by hearts, and about it the people ask: "What is that?" this goes back to the slip of scholars, as will be shown later, by Allah's strength.

From among the statements attributed to the men who succeeded the Companions, a mention may be made of the following:

It is narrated by Ibn Waddah on the authority of Al-Hasan "may Allah have mercy upon him" that he said: "The more a religious innovator strives in prayer and fasting, the farther he draws from Allah Almighty."

It is narrated by Ibn Wahb on the authority of Abu Idris Al-Khawlani "may Allah have mercy upon him" that he said: "To see a fire in the mosque which I could not extinguish is dearer to me than to see a religious innovation which I could not change."

It is narrated on the authority of Al-Fudail Ibn 'Ayad ⁽²⁾ "may Allah have mercy upon him" that he said: "Follow the way of the right guidance, and let no harm befall you because of the scarcity of the followers of the path; and avoid the way of straying, and do not be deceived by the great number of these ruined (because of following it)."

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" that he said: "Sit not with an inclined person, lest he would infect you with his inclination: if you follow him on it, you would be ruined, and if you disagree with him, he would ail your heart."

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" that he said, commenting on Allah's statement: **{O you who believe! Fasting is prescribed to you as it was prescribed to those before you,**

(1) Abu Dawud, Hadith no. 4611.

(2) Siyar A'lam An-Nubala', 8:421; Al-Jarh Wat-Ta'dil, 7:73.

that you may (learn) self-restraint} [Al-Baqarah 183] "Allah Almighty enjoined the fasting of Ramadan upon the Muslims as well as He enjoined it upon those (of Scripture) who were before them. As for the Jews, they rejected it. Concerning the Christians, they felt it difficult upon them. They added ten days, and delayed it to the time of the year at which it would be the easiest upon them." Whenever Al-Hasan related this Hadith, he used to say: "To do little in an act of Sunnah is better than to do much in a religious innovation."

It is narrated on the authority of Abu Qilabah "may Allah have mercy upon him" that he said: "You should neither sit nor argue with the inclined persons, for, by Allah, I do not feel safe they would get you into their error, and put you to confusion as regard that which you know." Ayyub said: "He, by Allah, was one of the jurisprudents of good understanding."

He also used to say: "No doubt, the men of inclination are men of error, and I do not see but that fire is their destiny."

It is narrated on the authority of Al-Hasan that he said: "Sit not with a religious innovator, for he ails your heart."

It is narrated on the authority of Ayyub As-Sikhtiyani⁽¹⁾ that he used to say: "The more a religious innovator strives in worship, the farther he draws from Allah Almighty."

It is narrated on the authority of Abu Qilabah "may Allah have mercy upon him" that he said: "No religious innovator invents anything in religion but that he deserves sword for it."

Ayyub used to include the religious innovators under the term Khawarij, and say: "The Khawarij differ in name, and join in deserving the sword."

It is narrated by Ibn Wahb on the authority of Sufyan that a learned jurisprudent used to say: "I do not like that I guide all the people and mislead only one."

It is narrated by Ibn Wahb on the authority of Sufyan too that he said: "No word stands straight without a deed; and neither a word nor a deed stands straight without intention; and neither a word nor a deed nor an intention stands straight unless it is in accordance with the Sunnah."

Al-Ajurri mentioned that Ibn Sirin was of the opinion that the men of inclinations are more responsive to apostasy. According to Ibrahim⁽²⁾, "Do not talk to them, lest your hearts might renegade (from Islam)."

It is narrated on the authority of Hisham Ibn Hassan that he said: "Allah ever accepts from a religious innovator neither prayer, nor fasting, nor Hajj, nor 'Umrah, nor charity, nor Jihad, nor emancipation (of slaves in the Cause of Allah), nor an obligatory nor a supererogatory deed." According to the narration of Ibn Wahb, there is the following addition: "A time will come upon

(1) Siyar A'lam An-Nubala', 6:15; Shatharat Ath-Thahab, 1:181.

(2) Siyar Al-A'lam, 4:520; Al-Bidayah Wan-Nihayah, 9:140.

the people, at which the truth and falsehood will become indistinguishable. When it comes, no supplication will avail in the least except like that of drowning."

It is narrated on the authority of Yahya Ibn Abu Kathir⁽¹⁾ that he said: "If you meet a religious innovator on a way, then, follow another way."

One of the righteous predecessors said: "Whoever sits with a religious innovator, loses infallibility and is entrusted to his own self."⁽²⁾

It is narrated on the authority of Al-'Awwam Ibn Hawshab⁽³⁾ that he used to say to his son: "O 'Isa! Mend your heart, and make little your property." He further said: "By Allah, to see 'Isa (my son) sitting in the gatherings of men of alcoholic drinks and amusement is dearer to me than to see him sitting in the gatherings of men of disputations." According to Ibn Waddah, he means the religious innovators.

Some men asked Abu Bakr Ibn 'Ayyash⁽⁴⁾ : "O Abu Bakr! Who is the follower of the Sunnah?" he said: "The one who, whenever the inclinations are mentioned, never grows angry in support of anyone of them."

according to Yunus Ibn 'Ubaid⁽⁵⁾ , "The strange one is he who, whenever the Sunnah is offered to him, accepts it; and more strange is its perpetrator."

It is narrated on the authority of Yahya Ibn Abu 'Amr Ash-Shaibani⁽⁶⁾ that he said: It was said: "No repentance is accepted by Allah Almighty from a religious innovator; and a religious innovator does not move but to what is worse than his religious innovation."

It is narrated on the authority of Abu Al-'Aliyah that he said: "Learn Islam, and once you learn it, leave it not; and stick to the straight path, for it is Islam; and deviate not rightward or leftward; and stick to the Sunnah of your Prophet "peace be upon him" and the tradition on which his Companions "Allah be pleased with them" were before they killed their companion ('Umar), and did what they did; and avoid those inclinations which sow the seeds of enmity and hatred among the people." When this was narrated to Al-Hasan "may Allah have mercy upon him" he said: "He has told the truth, and given a good advice." [Ibn Waddah and others]

Malik "may Allah have mercy upon him" more often recited the following poetic verse: "And the best of religious affairs is the Sunnah, and the worst of affairs is the invented religious innovations."

It is narrated on the authority of Muqatil Ibn Hayyan⁽⁷⁾ "may Allah have

(1) Siyar A'lam An-Nubala' 6:27; Tahthib At-Tahthib, 11:268.

(2) Siyar A'lam An-Nubala', 6:29.

(3) Al-Jarh Wat-Ta'dil, 7:22; Shatharat Ath-Thahab, 1:244.

(4) Siyar A'lam An-Nubala', 8:495; Shatharat Ath-Thahab, 1:334.

(5) Siyar A'lam An-Nubala', 6:288; Tahthib At-Tahthib, 11:442.

(6) Tahthib At-Tahthib, 11:260; Taqrib At-Tahthib, 2:311.

(7) Siyar A'lam An-Nubala', 6:340; Al-Jarh Wat-Ta'dil, 8:353.

mercy upon him" that he said: "The men of those inclinations are the evil of the ummah of Muhammad "peace be upon him". They indeed remember the Prophet "peace be upon him" and his household, and, by that good remembrance, catch the ignorant among the people and throw them into destructive ways. How similar are they to those who provide the people with aloes to drink in the name of honey, or the deadly poison in the name of theriaca. So, watch them: if you do not drown into the ocean of water, you would, inevitably, drown into the ocean of inclinations which is deeper, more surging, more shocking and worse than the real ocean (of water). So, let your riding ship on which you would cut the journey of error be to follow the Sunnah."

It is narrated on the authority of Ibn Al-Mubarak "may Allah have mercy upon him" that he said: "It should be known to you, my brother, that death is a cause of honor for every Muslim who meets Allah Almighty while being on the Sunnah. So, we all belong to Allah, and to Him we all shall return. We complain to Allah about our loneliness, the departure of brothers (in the religion of Allah), the scarcity of assistants (in good), and the emergence of religious innovations; and to Allah we complain about the evil that befell that ummah, in regard with the departure of the religious scholars, and the appearance of the religious innovations."

Ibrahim At-Taimi⁽¹⁾ "may Allah have mercy upon him" used to say (by way of supplication): "O Allah! Protect me, by Your religion and the Sunnah of Your Prophet "peace be upon him", from difference in the truth, following inclination and ways of error; and from the suspicious matters and deviation (from) and disputes (over the truth)."

It is narrated on the authority of 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him" that he used to write in his letters (to his appointed officers): "I warn you of the desires to which the soul may incline, and from the deviations (from the truth) to a far extent."

When he "may Allah have mercy upon him" was given the pledge of allegiance as caliph, he ascended the pulpit, praised Allah and lauded him (as He deserves) and said: "O people! Behold! There is no Prophet after your Prophet (Muhammad "peace be upon him"), nor a Book after your Book (the Holy Qur'an), nor a Sunnah after the Sunnah of your Prophet "peace be upon him", nor an ummah after your ummah (of Islam). Behold! The lawful is what Allah Almighty made lawful in His Book and on the tongue of His Prophet "peace be upon him", and it will remain lawful until the Day of Judgment. Behold! The unlawful is what Allah made unlawful in His Book and on the tongue of His Prophet "peace be upon him", and it will remain unlawful until the Day of Judgment. Behold! I am a follower (of the Sunnah and the tradition) rather than an innovator (in religion). Behold! I am appointed to

(1) Siyar A'lam An-Nubala', 5:60; Al-Jarh Wat-Ta'dil, 2:146.

implement (the laws and rulings of Allah) rather than to judge (among the people). Behold! I am a distributor (of wealth) in the very way I am commanded to do rather than a treasurer (of money). Behold! I am not the best among you in so much as I am carrying the heaviest burden among you. Behold! (It should be known to you that) no obedience is due to a creature in what leads to disobedience of the Creator." Then he descended.⁽¹⁾

The following is one of his speeches which gained the attention of the people, and has been memorized by the religious scholars, and admired by Malik (Ibn Anas): "No doubt, The Messenger of Allah "peace be upon him" and his successors who took over after him laid the foundation of good deeds of Sunnah, and to act upon them is to give trust to the Book of Allah Almighty, complete the obedience of Allah Almighty, and become strong enough to meet the requirements of the religion of Allah Almighty. It is not up to anyone to change, replace or even consider anything in opposition to that. Whoever acts upon it will be guided aright, and whoever seeks its help will be granted help; whereas whoever disagrees with it will follow a way other than that of the faithful believers, and Allah then will leave him in the way he has chosen for himself, and burn him in the blazing fire, what an evil refuge!"

He indeed has told the truth. His speech is entitled to draw their admiration, for as brief as it might be, it contains good principles of Sunnah. It includes the very state in which we are, because his statement "It is not up to anyone to change, replace or even consider anything in opposition to that" cuts off the substance of invention in religion. His statement "Whoever acts upon it will be guided aright..." up to the end of the speech praises the follower of the Sunnah and dispraises the opponent of it, as attested by the statement of Allah: **{If anyone contends with the Messenger even after guidance has been plainly conveyed to him, and follows a path other than that becoming to men of Faith, We shall leave him in the path he has chosen, and land him in Hell, what an evil refuge!}** [An-Nisa' 115]

This includes the acts of which the (rightly-guided) successors laid the foundation after The Messenger of Allah "peace be upon him": it is a Sunnah in which there is no religious innovation at all; and although there is no text in the Qur'an or the Prophetic Sunnah stating it explicitly, it is attested in general from the Hadith, as shown in the narration of Al-'Irbad Ibn Sariyah "Allah be pleased with him" in which The Messenger of Allah "peace be upon him" said: "so, I advise you to follow my Sunnah, and the tradition of the rightly-guided well-directed successors (of me), to which you should stick firmly (and on which you should show constant patience); and I further warn you of the religious innovations (which have no reference in Allah's Book and the Sunnah of His Messenger "peace be upon him"), for indeed, every religious innovation

(1) The story, along with the speech in full, are mentioned in *Siyar A'lam An-Nubala'*, 5:126.

is an error.” [At-Tirmithi and Abu Dawud] ⁽¹⁾

He “peace be upon him”, as you see, joined their Sunnah to his, and it is out of his Sunnah to follow theirs; and the new inventions in religion are different from that. That is because they "Allah be pleased with them", in their established traditions, followed the Sunnah of their Prophet “peace be upon him”, or followed what they understood from it in general and details, in a way that might be hidden from others than them, and no more. This will be explained, in more detail, later, Allah willing.

It is reported by Abu ‘Abdullah Al-Hakim ⁽²⁾ from Yahya Ibn Adam ⁽³⁾ that the righteous predecessors told that what should be learnt from the Sunnah of both Abu Bakr and ‘Umar "Allah be pleased with them" is that The Messenger of Allah “peace be upon him” died while being on that item of Sunnah, and that there is no need for any statement more than that of The Messenger of Allah “peace be upon him”. That is true, as suggested by the narration of Al-‘Irbad "Allah be pleased with him". There is then nothing more than what is proven in the Prophetic Sunnah.

But since it was feared that any act of Sunnah might have been abrogated by another, the religious scholars needed to know the deeds of the successors in order to be certain about the acts of Sunnah on which the Messenger of Allah “peace be upon him” died, without being abrogated, since they acted upon the latest and what is next to it. It is on the basis of this concept that Malik Ibn Anas "may Allah have mercy upon him" established his argument with the deed as a reference in the event of opposition of the acts of Sunnah.

One of the principles included in the tradition handed down from ‘Umar Ibn ‘Abd-Al-‘Aziz "may Allah have mercy upon him" is that the deed of the rulers who took over after The Messenger of Allah “peace be upon him” is explanatory of the Book of Allah and the Sunnah of His Messenger “peace be upon him”. He said: "and to act upon them is to give trust to the Book of Allah Almighty, complete the obedience of Allah Almighty, and become strong enough to meet the requirements of the religion of Allah Almighty." This principle is stated by others. The point is that the speech of ‘Umar Ibn ‘Abd-Al-‘Aziz "may Allah have mercy upon him" contained very good principles and significant implications.

The following statement is attributed to Abu Ilyas Al-Albani: "There are three words, which, if written even in a nail, it would extend to imply them, and in which there lies the good of both the world and the hereafter: Follow (the Sunnah and tradition) and make no religious innovation; be humble and

(1) Abu Dawud, Hadith no. 4607; At-Tirmithi, Hadith no. 2676; Ibn Majah, Hadith no. 42, 43, 44; Ad-Darimi, Hadith no. 95; Ahmad in his Musnad, 4:126-127; and Al-Hakim in Al-Mustadrak, 1:96-97.

(2) Siyar A‘lam An-Nubala’, 7:162; Al-Bidayah Wan-Nihayah, 11:355.

(3) Siyar A‘lam An-Nubala’, 9:225; Tahthib At-Tahthib, 11:175.

rise not (above others); and whoever abstains (from the unlawful) should not do things extensively."

There are so many other traditions in this connection.

4.2. A Chapter On The Fourth Source Of Transmitted Texts

I mean here what is reported in condemnation of the religious innovations and their men, from some of the Sufis who are famous among the people. We make a special mention of their sayings, although what has been related is quite sufficient, because a lot of the ignorant think that they indulge so much in following (the Sunnah and tradition), adopt the invention of acts of worship, and oblige themselves to do things not imposed by Shari'ah. Allah forbid that they say or believe in that.

The first thing on which they established their way is to follow the Sunnah and avoid anything in opposition to it. Their leader, Abu Al-Qasim Al-Qushairi⁽¹⁾ "may Allah have mercy upon him" told that they were given that name of Sufism to be distinguished from the men of religious innovations. He mentioned that after the death of The Messenger of Allah "peace be upon him", the virtuous among the Muslims were given no name better than the Sahabah (Companions of the Prophet), as there is no privilege superior to it. Then, those who came after them were given the name of Tabi'is (followers), seeing it the noblest of names. Then, those who came after them were called the followers of the Tabi'is. Then, the people differed and varied in rank. The private among men who gave much care to the religion, were called the ascetics and worshippers. Then, the religious innovations appeared, and each party claimed that there were ascetics and worshippers among its men. The private among the men of Sunnah, who observed the intimate relation with Allah Almighty and kept their hearts from heedlessness, were given the term of Sufism.⁽²⁾ According to this concept, the term Sufism is specific to those who follow the Sunnah and disagree with the religious innovations. This contradicts the beliefs of the ignorant and pointless knowledge claimant about the Sufis.

It is my purpose, if I am given enough respite and helped by virtue of Allah Almighty, and things are made easy to me, to put a good abstract about the way of these Sufis, indicating to its authenticity, and consistence with the best way; and the fact that corruptions and religious innovations distorted it at the hands of a people who came very late from the time of that righteous predecessors, and claimed to belong to it, with no Shari'ah-accepted behavior, nor understanding of the real purposes of its men, and rather attributed to them slanders and lies, until it has recently become as if it were another

(1) Siyar A'lam An-Nubala', 18:227; Al-Bidayah Wan-Nihayah, 12:107.

(2) See Ar-Risalah Al-Qushairiyah, p12.

Shari'ah, very different from that brought by Muhammad "peace be upon him".

More paradoxically, they engage in following the Sunnah, and see that the invention of the acts of worship is a correct way to worship Allah. But even, the real way of the Sufis is completely free from such falsehood, all perfect praise be to Allah.⁽¹⁾

Al-Fudail Ibn 'Eyyad "may Allah have mercy upon him" said: "Whoever sat with a religious innovator would not be given wisdom."

It was said to Ibrahim Ibn Atham⁽²⁾ "may Allah have mercy upon him": "No doubt, Allah Almighty says in His Holy Book: "Call upon me, so that I would respond to your (invocation).} [Ghafir 60] We have long been invoking Allah and He did not respond to us (what is the matter?)" on that he said: "Your hearts died in ten things: first: although you have known Allah, you did not fulfill His right. Second: although you have recited the Book of Allah, you did not act upon its (laws and rulings). Third: although you have claimed that you love The Messenger of Allah "peace be upon him", you left his Sunnah. Fourth: although you have claimed you are enemies to Satan, you agree with him (on evil). Fifth: although you claim you love Paradise, you did not do good deeds for its sake..."⁽³⁾

According to Thun-Nun Al-Misri⁽⁴⁾ "may Allah have mercy upon him": "Among the signs of the love for Allah Almighty is to follow his beloved (The Messenger of Allah) "peace be upon him", in his manners, acts, command and Sunnah."

He further said: "Verily, the people have become corrupt because of six things: first: their intentions have weakened concerning the deed of the hereafter. Second: their bodies have become ready to their desires and lusts. Third: they have been overpowered by the long hope no matter how short their life is. Fourth: they have given preference to the pleasure of the creatures over the good pleasure of Allah Almighty. Fifth: they have followed their own inclinations and discarded the Sunnah of their Prophet "peace be upon him". Sixth: they have made the slips of the righteous predecessors an argument to support their (deviation), and concealed the majority of their good merits."

He advised a man saying: "Let the best and the dearest of things to your heart to perfect what has been enjoined upon you, and avoid what you have been forbidden to do. No doubt, to worship Allah Almighty with the same acts of worship He has enjoined upon you is better than to choose for yourself of the deeds of righteousness which are obligatory upon you, seeing them more

(1) For further clarification, see Majmu' Fatawa Ibn Taimiyah vol. 10-11; and Madarij As-Salikin, Ibn Al-Qayyim.

(2) Siyar A'am An-Nubala', 7:387; Al-Jarh Wat-Ta'dil, 2:87.

(3) The story in full is related in Hilyah Al-Awliya', 7:367-8:58.

(4) Siyar A'lam An-Nubala', 11:532; Al-Bidayah Wan-Nihayah, 10:347.

efficient to accomplish your aim, just like the one who disciplines himself with poverty and destitution. One is required only to observe the obligatory duties enjoined upon him, which he should do perfectly to the best, and avoid what he has been forbidden to do. Indeed, what has separated the people from their Lord Almighty, prevented them from tasting the sweetness of faith and attaining the truth, and impeded their hearts from considering the hereafter is their indulgence in the rulings of what has been enjoined upon them, in their hearts, hearings, sights, tongues, hands, feet, bellies and private parts. Had they understood those things and perfected them as it should be, they would have received of righteousness what is beyond the capacity of their hearts and bodies to carry, of Allah's good aid and honor. But unfortunately, the majority of reciters and worshippers regard slightly the minor sins and indulge in their flaws and defects, thereupon they have been deprived of the pleasure of the immediate reward of the truthful."

Bishr Al-Hafi⁽¹⁾ "may Allah have mercy upon him" said: "I saw The Messenger of Allah "peace be upon him" in a dream and he said to me: "O Bishr! Do you know why Allah has raised you (in rank) over your fellows?" I said: "No O Messenger of Allah." He said: "It is that you follow my Sunnah, respect the righteous, advise your brothers, and love my Companions and family that made you attain the rank of the righteous."

Yahya Ibn Mu'ath Ar-Razi⁽²⁾ says: "The difference among the people goes back, ultimately, to three principles, each of which has two opposite extremes, and if man leaves one, he then would fall in its opposite: monotheism, and its opposite is polytheism; the Sunnah, and its opposite is the religious innovation; and obedience, and its opposite is disobedience."

Abu Bakr Ad-Daqqaq⁽³⁾, a fellow of Al-Junaid, Siyar A'lam An-Nubala', 14:66; Al-Hilyah, 10:255., said: "I was crossing the desert of the children of Israel when there occurred to my mind that the knowledge of fact differs from the knowledge of Shari'ah. Then, a visitant called: "Every fact which does not agree with Shari'ah is disbelief."

Abu 'Ali: Al-Hasan Ibn 'Ali Al-Jawzajani⁽⁴⁾ said: "Among the signs of happiness visible on mankind is that obedience is made easy on him, that he agrees with the Sunnah in all of his deeds and words, accompanies the righteous men, treats the brothers with his good manners, does his favor to the people, is concerned with the Muslims, and observes his times."

He was asked about the way to Allah, thereupon he said: "There are many ways to Allah Almighty, the clearest and the most straight of which is to follow (the Sunnah of His Prophet) in word, deed, determination, decision and

(1) Siyar A'lam An-Nubala', 10:469; Shatharat Ath-Thahab, 2:60.

(2) Siyar A'lam An-Nubala', 13:15; Al-Hilyah, 10:51.

(3) Tabaqat Ash-Sha'rani Al-Kubra, 76; Ar-Risalah Al-Qushairiyah, 35.

(4) Shatharat Ath-Thahab, 3:180; Tabaqat Ash-Sha'rani, 1:77.

intention. That is because Allah Almighty says: **{If you obey him, you shall be on right guidance.}** [An-Nur 54] it was said to him: "What is the way to Sunnah?" he said: "It is to avoid the religious innovations, follow the tradition on which there was consensus among the first generation of Muslims, leave the gatherings of scholastic theology and its men, and copy the guidance (of the righteous predecessors). That is what The Prophet "peace be upon him" was commanded by Allah's saying: **{So We have inspired to you to "Follow the ways of Abraham the True in Faith, and he joined not gods with Allah."}** [An-Nahl 123]

According to Abu Bakr At-Tirmithi⁽¹⁾: "No one entertained the complete endeavor (in worship) save those of love. They have attained this rank because they followed the Sunnah, and avoided the religious innovations. No doubt, Muhammad "peace be upon him" was the highest in endeavor and the closest to Allah from among all the people."

According to Abu Al-Hasan Al-Warraaq⁽²⁾: "No one achieves connection with Allah but by virtue of Allah Almighty, and agreement with his beloved "peace be upon him" on His laws. To be sure, whoever makes his way of connection in anything other than the imitation (of His Prophet) will go astray from wherever he thinks he is on the right guidance."

He further said: "Truthfulness is to stand straight on the way concerning the religion, and follow the Sunnah concerning the Divine laws."

He said too: "The sign of love for Allah Almighty is to follow His beloved "peace be upon him"."

Ibrahim Al-Qammar⁽³⁾ said: "The sign of love for Allah Almighty is to give His obedience preference (over anything else), and follow His Prophet "peace be upon him"."

According to Abu Muhammad 'Abd-Al-Wahhab Ath-Thaqafi⁽⁴⁾: "From among all the deeds, Allah accepts only the correct ones; and from among the correct deeds, He accepts only those done with sincerity to Him; and from those He accepts only those done in accordance with the Sunnah."

It is reported that Ibrahim Ibn Shaiban Al-Maqrisini⁽⁵⁾ accompanied Abu 'Abdullah Al-Maghribi⁽⁶⁾ and Ibrahim Al-Khawas⁽⁷⁾, and was strictly hard on the religious innovators, strongly abided by the Book and Sunnah, and adhered to the way of the Sheikhs, so much that 'Abdullah Ibn Al-Manazil⁽⁸⁾ said about

(1) Siyar A'lam An-Nubala', 13:439; Al-Hilyah, 10:233.

(2) Tabaqat Ash-Sha'rani, 1:87.

(3) The correct name is Al-Qassar. See Siyar A'lam An-Nubala', 13:41; Tabaqat Ash-Sha'rani, 1:87.

(4) Siyar A'lam An-Nubala', 9:237; Al-Jarh Wat-Ta'dil, 9:71.

(5) Siyar A'lam An-Nubala', 15:392; Al-Hilyah, 10:361.

(6) Tabaqat Ash-Sha'rani, 1:79.

(7) Tabaqat Ash-Sha'rani, 1:83; Ar-Risalah Al-Qushairiyah, 40.

(8) Siyar A'lam An-Nubala', 15:297; Tabaqat Ash-Sha'rani, 1:92.

him: "Ibrahim Ibn Shaiban is the argument of Allah on the poor and men of ethics and dealings."

According to Abu Bakr Ibn Sa'dan⁽¹⁾, one of the companions of Al-Junaid: "To hold fast by Allah Almighty is to keep away from heedlessness, religious innovations, sins and errors."

Abu 'Umar Az-Zajjaji⁽²⁾, a companion of Al-Junaid, Ath-Thawri and others, said: "During the pre-Islamic days of Jahilya, the people used to follow what they thought to be good by mind and nature. Then, The Messenger of Allah "peace be upon him" came and brought them back to the Divine law. The sound mind then is that which sees good what is considered good by Shari'ah, and bad what is considered bad by Shari'ah."

It was said to Isma'eel Ibn Muhammad As-Sulami⁽³⁾, the grandfather of 'Abd-Ar-Rahman As-Sulami, and he had seen Al-Junaid and others: "What is that which a servant should do?" he said: "To worship (his Lord) in accordance with the Sunnah, and permanently observe (the commandments of Allah)."

According to Abu 'Uthman Al-Maghribi: "It is to abide by the limits of Allah: neither fall short nor exceed them. In confirmation of that, Allah Almighty says: **{If any do transgress the limits ordained by Allah, such persons wrong (themselves as well as others).}** [Al-Baqarah 229]"

Abu Yazid Al-Bistam⁽⁴⁾ said: "I have undergone self-mortification for thirty years, during which I have never seen anything more difficult than knowledge and following it. But for the difference of the religious scholars, I would have become wretched. No doubt, the difference of religious scholars could be a mercy except in regard with the abstract monotheism; and to follow the knowledge is to follow the Sunnah and nothing else."

It is reported from him that he said: "Let us stand to see this man who is famous for his intimate friendship (with Allah)." He was a man recognized for his abstinence. the narrator resumed: when he went out of his house and entered the mosque, he spat towards the direction of the Qiblah. On that Al-Bistam left and did not greet him and further said: "This is not trustworthy over one of the etiquettes of The Messenger of Allah "peace be upon him", then, how should he be trustworthy over what he claims (of intimate friendship with Allah)?"

That is one of the principles set by Abu Yazid Al-Bistam in this respect: that is, the one who does not act upon the Sunnah, even no matter how ignorant of it he might be, could not promote to the rank of the intimate friendship with Allah, not to mention the one who acts upon the religious

(1) Tabaqat Ash-Sha'rani Al-Kubra, 1:100.

(2) Tabaqat Ash-Sha'rani, 1:101; Ar-Risalah Al-Qushairiyah, 47.

(3) He is not so as mentioned by the author: he is Abu 'Amr Isma'eel Ibn Nujaid As-Sulami, An-Naisaburi. See Siyar A'lam An-Nubala', 16:146; Tabaqat Ash-Sha'rani, 1:103.

(4) Siyar A'lam An-Nubala', 13:86; Al-Bidayah Wan-Nihayah, 11:35.

innovation intentionally.

He further said: "I intended to ask Allah Almighty to suffice me against the burden of (desire for) food and women. Then I said (to myself): "How should I ask Allah for something for which The Messenger of Allah "peace be upon him" did not ask Him?" I did not ask Him. Later on, He Almighty sufficed me against the burden of (desire for) women, to the extent that I have become careless whether there is a woman or a wall in front of me."

He also said: "If you see a man endowed with such supernatural events as enables him to fly in the air, do not be deceived by him until you see how he deals with the command and forbiddance, and how he keeps the limits and etiquettes of Shari'ah."

According to Sahl At-Tastari: "Every deed a servant does, by way of following his inclination, be it an act of obedience or disobedience, is easy on the soul; and every deed a servant does, by way of following (the Sunnah), is heavy on his soul for it does not agree with his inclination. Following the inclination is blameworthy, and the intent of the people is to leave it entirely."

He further said: "Our principles are seven: to stick to the Book of Allah, to follow the Sunnah of His Messenger "peace be upon him", to eat the lawful, to hold back harming (others), to avoid sins, to repent (from misdeeds), and to give back the rights (to its men). But the people fail to do these three: to repent (from misdeeds) continuously, to follow the Sunnah, and not to harm the people." When he was asked about the fatwa he said: "It is to follow the Sunnah."

Abu Sulaiman Ad-Darani⁽¹⁾ said: "I sometimes accept no word from anyone of the people except with two just witnesses: the Book of Allah and the Sunnah of His Messenger "peace be upon him"."

According to Ahmad Ibn Abu Al-Hawari⁽²⁾: "Whoever does a deed in which he does not follow the Sunnah, his deed is void."

According to Abu Hafs Al-Haddad, Al-Jarh Wat-Ta'dil, 6:235; Hilyat Al-Awliya', 10:229: "Whoever does not weigh his deeds and states, at any time, with the (principles and laws of the) Book and the Sunnah, and doubt his own thoughts, then, do not regard him among the men." When he was asked about the religious innovations, he said: "It is to transgress the due limits in judgments, to indulge in following the acts of Sunnah, to follow the opinions and inclinations, and not to follow and imitate (the righteous predecessors). No one has a high state of mind but that because he Sticks to a correct matter."

Hamdun Al-Qassar⁽³⁾ was asked: "When does it become permissible for a man to talk to the people?" he said: "When it becomes due upon him to fulfill

(1) Siyar A'lam An-Nubala', 10:182; Al-Jarh Wat-Ta'dil, 5:214.

(2) Tahthib At-Tahthib, 1:49; Shatharat Ath-Thahab, 2:110.

(3) Siyar A'lam An-Nubala', 13:50; Hilyat Al-Awliya', 10:231.

one of the obligatory duties imposed by Allah Almighty in his deed, or when he fears the destruction of anyone because of doing a religious innovation, which he hopes that Allah Almighty should save him from."

He further said: "Whoever meditates the biographies of the righteous predecessors would know how deficient and falling he is from the high ranks of men."

By that he refers, and Allah knows best, to relentless imitation of them, since they represent the real men of the Sunnah.

A man made a mention of the gnosis of Allah Almighty saying: "The Gnostics of Allah Almighty reach a high state in which they leave the acts of righteousness thereby to draw themselves close to Allah Almighty." Abu Al-Qasim Al-Junaïd said to him: "That is the statement of a people who cancel out the deeds from Allah Almighty. By Allah, were I to live as long as one thousand years, I would reduce nothing from the deeds of righteousness unless I am impeded from it."

He said: "All ways are closed in upon the people save the way of him who follows the traces of The Messenger of Allah "peace be upon him"."

He further said: "This doctrine of us is restricted by the (laws and principles of the) Book and the Sunnah."

He said: "He, who neither memorizes the Qur'an, nor writes the Hadith, is not fit for an example to follow in this respect, for this knowledge of ours is restricted by the (laws and principles of the) Book and the Sunnah."⁽¹⁾

According to Abu 'Uthman Al-Hiri⁽²⁾ : "The company with Allah Almighty is achieved by good politeness, permanent awe for and observation of (His commandments); and the company with The Messenger of Allah "peace be upon him" is attained by following his Sunnah, and adherence to the apparent knowledge; and the company with the intimate friends of Allah is achieved by respect and service."

When his state changed, his son Abu Bakr tore a shirt over his body, thereupon Abu 'Uthman opened his eyes and said: "O my son! The difference from the Sunnah in public is a sign of showing off in secret."

He further said: "He, who follows the Sunnah in all of his words and deeds, will speak with wisdom; and he, who follows his inclination in all of his words and deeds, will speak with religious innovations."⁽³⁾ In confirmation of that, Allah Almighty says: **{If you obey him, you shall be on right guidance.}** [An-Nur 54]

Abu Al-Husain An-Nuri⁽⁴⁾ said: "Approach not the one who claims, while being with Allah, a state that makes him exceed the due limit of Shari'ah."

(1) Ath-Thahabi, 14:66; Abu Na'eem in Al-Hilyah, 10:255.

(2) Siyar A'lam An-Nubala', 14:62; Al-Bidayah Wan-Nihayah, 11:115.

(3) Ath-Thahabi, 14:63; Al-Hilyah, 10:244-246.

(4) Siyar A'lam An-Nubala', 14:70; Al-Bidayah Wan-Nihayah, 11:106.

Muhammad Ibn Al-Fadl Al-Balkhi⁽¹⁾ said: "Islam disappears for four reasons: not to act upon what they know, to act upon what they know not, not to learn, and to prevent the people from learning."⁽²⁾

That is the state of the Sufis in those days.

He further said: "The most knowledgeable of Allah is he who strives most to carry out His commands (and avoid His forbiddances), and follow most the Sunnah of His Prophet "peace be upon him"."

Shah Al-Karmani⁽³⁾ said: "Whoever lowers his sight from the unlawful, abstains from the suspicious things, continuously observes (the commandments of Allah) inwardly, follows the Sunnah outwardly, and gets accustomed to eat only the lawful, his physiognomy never fails."

According to Abu Sa'eed Al-Kharraz⁽⁴⁾ : "Every interior that contradicts its exterior is void."⁽⁵⁾

Abu Al-'Abbas Ibn 'Ata'⁽⁶⁾ , a fellow of Al-Junaid, said: "Whoever abides by the etiquettes enjoined by Allah Almighty, Allah then enlightens his heart with the light of gnosis; and no standing is nobler than following the beloved "peace be upon him" in his commands, deeds and manners."

He further said: "The strongest heedlessness is when one is heedless of his Lord Almighty, of His commands, and of the etiquettes of his treatments (with the people)."

Ibrahim Al-Khawas said: "One does not become learned (in religion) by virtue of the great number of narrations he has: but the true learned is the one who acts upon what he knows, and follows the acts of Sunnah, no matter how little his knowledge might be."

When he was asked about the (concept of) wellbeing, he said: "Wellbeing consists of four things: a religion without innovation in it, a deed without deficiency, a heart without occupation (with worldly benefits), and a soul without a desire."

He further said: "Patience is to keep firm on the rulings of the Book (of Allah) and the Sunnah (of the Prophet)."

Abu Hamzah Al-Baghdadi⁽⁷⁾ said: "He, who knows the way of truth, it becomes easy upon him to follow it; and there is no better indication to the way of Allah Almighty than to follow the Sunnah of The Messenger of Allah "peace be upon him" in all of his words, deeds and manners."

Abu Ishaq Ar-Raqashi said: "The sign of love for Allah Almighty is to

(1) Siyar A'lam An-Nubala', 14:523; Hilyat Al-Awliya', 10:232.

(2) Siyar A'lam An-Nubala', 14:524; Al-Hilyah, 10:232.

(3) Ar-Risalah Al-Qushairiyah, 37; Tabaqat Ash-Sha'rani, 1:77.

(4) Siyar A'lam An-Nubala', 13:419; Al-Hilyah, 10:246.

(5) Siyar A'lam An-Nubala', 13:420.

(6) Shatharrat Ath-Thahab, 2:257; Ar-Risalah Al-Qushairiyah, 40.

(7) Al-Hilyah, 10:320; Ar-Risalah Al-Qushairiyah, 41.

give preference to His obedience, and following His Prophet “peace be upon him”. The evidence for that is the statement of Allah Almighty: **{Say: "If you do love Allah, follow me: Allah will love you and forgive you your sins; for Allah is Oft-Forgiving, Most Merciful."}** [Al ‘Imran 31]

According to Mimshad Ad-Dainuri⁽¹⁾: “The etiquettes to be observed by the follower of the path are to abide by the sanctities of Shaykhs, and the sanctity of the brothers, to go beyond the limits (of time and space), and preserve the proprieties of Shari‘ah as they are.”

Abu ‘Ali Ar-Ruzbari⁽²⁾ was asked about the one who listens to the musical instruments and says: "That is lawful for me since I have reached such a degree as the change of states could not influence me." On that he said: "He has reached but Saqar."⁽³⁾

Abu Muhammad ‘Abdullah Ibn Manazil said: "No one wastes an obligatory duty but that Allah tries him by wasting the acts of Sunnah; and no one is tried by wasting the acts of Sunnah but that he is about to be tried by the religious innovations."

According to Abu Ya‘qub An-Nahrjuri⁽⁴⁾: “The best of states is that which is parallel to knowledge.”⁽⁵⁾

According to Abu ‘Amr Ibn Nujaid: "Every state that does not result from knowledge, its harm on man is more than its benefit."

According to Bindar Ibn Al-Husain⁽⁶⁾: "The company of the religious innovators keeps one away from the truth."⁽⁷⁾

Abu Bakr At-Tamistani⁽⁸⁾ said: "The way (to Allah) is clear, and the Book and the Sunnah are standing among us; and the superiority of the Companions "Allah be pleased with them" is well-known, due to their precedence to migration and company (of the Prophet). So, whoever among us accompanies the Book and the Sunnah, becomes alienated from himself and the people, and emigrates with his heart to Allah Almighty, he would be the right truthful."

According to Abu Al-Qasim An-Nasrabathi⁽⁹⁾: "The origin of Sufism is to stick to the Book and the Sunnah, leave the religious innovations and inclinations, respect the sanctities of Shaykhs, observe the excuses of the people, be regular on the daily devotional recitals, and not to take refuge to concessions and interpretations."⁽¹⁰⁾

(1) Hilyat Al-Awliya’, 10:353; Ar-Risalah Al-Qushairiyah, 42.

(2) Siyar A‘lam An-Nubala’, 14:535; Shatharat Ath-Thahab, 2:296.

(3) Al-Hilyah, 10:356; Siyar A‘lam An-Nubala’, 14:536.

(4) Al-Bidayah Wan-Nihayah, 11:193; Shatharat Ath-Thahab, 2:316.

(5) Ar-Risalah Al-Qushairiyah, 45; Siyar A‘lam An-Nubala’, 15:233.

(6) Siyar A‘lam An-Nubala’, 16:108; Hilyat Al-Awliyah, 10:384.

(7) Siyar A‘lam An-Nubala’, 16:109.

(8) Ar-Risalah Al-Qushairiyah, 49; Tabaqat Ash-Sha‘rani, 1:104.

(9) Siyar A‘am An-Nubala’, 16:263; Shatharat Ath-Thahab, 3:58.

(10) Siyar A‘lam An-Nubala’, 16:265.

However, their words in this issue are beyond listing. We have reported from as many as over forty of them, all of whom emphasize, explicitly or implicitly, that the invention in religion is error, following it is misguidance, and depending upon it indicates to blindness and remoteness from salvation; and that the religious innovator is exposed to evil and entrusted to his own self, and driven away from attainment of wisdom; and that the Sufis to whom the real way of Sufism is attributed unanimously agree on honoring Shari'ah, following the Sunnah, and non-indulgence in any of its etiquettes, and are the farthest, among all the people, from the religious innovations and their men. That is why there is no one among them attributed to anyone of the straying sects or inclined to something in opposition to the Sunnah. Most of them are religious scholars, learned jurists, traditionalists, and men from whom religion is taken, in its principles and branches, or, at least, men who comprehend their religion as much as satisfies their needs.

At the same time, they were masters of realities, attachments, tastes, states, and mysteries of monotheism. They are the argument against anyone claiming to belong to their way, and do not follow their method, but rather bring new religious innovations and followed inclinations which he ascribes to them. More often, you see the later generation who imitate them do things which the people agree unanimously that they are invalid, according to Shari'ah, and establish their argument on some of their states, which, in case they are true, are not fit for argument, and leave their clear words and states in this respect.

Since Sufism is like any other science, I have mentioned of their words what could establish an evidence to support the patron of Sunnah and condemn the religious innovations, so that it would be a proof handed down from them for us against the men of religious innovations in general, and their claimants among them in particular; and success lies with Allah.

5.2. A Chapter On The Fifth Source Of Transmitted Texts

This includes the condemnation of the blameworthy opinion, which has neither basis nor reference in the Book or the Sunnah, but, at the same time, accounts for a part of religious legislation, which makes it a kind of innovation in religion. That is because all religious innovations are opinions which have no reference in the Book or the Sunnah; and this is why they are described as errors.

It is narrated in an authentic Hadith on the authority of ‘Abdullah Ibn ‘Amr Ibn Al-‘As "Allah be pleased with both" that he said: The Messenger of Allah “peace be upon him” said: “Verily, Allah never takes away knowledge by depriving the people of it after He had given it to them: but He removes knowledge by taking away the scholars, so that when He leaves no learned person, people would turn to ignorant as their leaders, who, subsequently, would be asked to deliver religious fatwa, and they deliver it without knowledge, thereupon they would go astray, and mislead others.”⁽¹⁾

Being so, to condemn such a blameworthy opinion means to condemn the religious innovation subsequently.

It is narrated by Ibn Al-Mubarak and others on the authority of ‘Awf Ibn Malik Al-Ash‘ari "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said: "My ummah would be divided into over seventy sects, the most tempting of them are a people who would make analogies in the religion according to their opinions, thereby make unlawful what Allah made lawful, and lawful what He made unlawful."⁽²⁾

Ibn ‘Abd-Al-Barr said: "That is the unfounded analogy, and speaking in religion depending on guessing and assumption. Do you not see that he says in the Hadith: "thereby make unlawful what Allah made lawful, and lawful what He made unlawful"? It is well-known that the lawful is what has been made lawful in the Book of Allah and the Sunnah of His Messenger “peace be upon him”, and the unlawful is what has been made unlawful in the Book of Allah and the Sunnah of His Messenger “peace be upon him”. So, whoever is ignorant of that, and says, when asked about it, without knowledge, and rather analogizes what is not in the Sunnah to his independent opinion, has indeed

(1) See Sahih Muslim, Hadith no. 2673.

(2) Ibn Al-Mubarak in Kitab Az-Zuhd, 446; Jami‘ Bayan Al-‘ilm, Ibn ‘Abd-Al-Barr, 2:133; Kanz Al-Ummal, Hadith no. 1058.

gone astray, and misled the people. But not so is the one who refers the branches to their respective fundamentals." ⁽¹⁾

It is narrated by Ibn Al-Mubarak that The Messenger of Allah "peace be upon him" said: "The portents of the Hour (of Judgment) are three, one of which is that knowledge is sought with the foolish." When Ibn Al-Mubarak was asked about them, he said: "It is those who say (in religion) depending on their opinions. But not foolish is the young who narrates from an old." ⁽²⁾

It is narrated by Ibn Wahb on the authority of 'Umar Ibn Al-Khattab "Allah be pleased with him" that he said: "The men of independent opinions have become enemies of the Sunnah. The Hadiths were too difficult upon them to understand, thereupon they skipped them (and rather invented their religious innovations)." ⁽³⁾ According to the explanation of Sahnun, this indicates to the religious innovations.

According to another opinion, he said: "Beware of the men of independent opinions, the enemies of the acts of Sunnah. When the Hadiths were too difficult upon them to memorize, they invented their opinions (which have no reference in the Book of Allah and the Prophetic Sunnah), thereupon they went astray and misled the people." ⁽⁴⁾

According to another narration by Ibn Wahb, he said: "The men of independent opinions are the enemies of Sunnah. The Sunnah was too difficult upon them to memorize, and skipped them so much that they failed to comprehend as it should be. Therefore, they felt shy, when asked, to say 'We do not know', thereupon they invented their independent opinions against the Sunnah. So, beware and beware of them." ⁽⁵⁾

Abu Bakr Ibn Abu Dawud said: "The men of independent opinions are those of religious innovations." ⁽⁶⁾

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: "He, who invented an independent opinion (in the religion), which has no fundamental origin in the Book of Allah, nor is it established by the Sunnah of The Prophet "peace be upon him" then, he will not know on which (religion he will be) if he meets Allah Almighty." ⁽⁷⁾

It is narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he said: "No doubt, the reciters (jurisprudents and religious scholars) go

(1) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:138.

(2) See Kitab Az-Zuhd, 281; and it seems that the narration is Mawquf.

(3) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

(4) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

(5) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

(6) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

(7) See Sunan Ad-Darimi, Hadith no. 158, 1:68; Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

away, and the people take ignorant men as rulers, who analogize things to their independent opinions (unfounded by the Book of Allah and the Sunnah of His Prophet)."⁽¹⁾

It is narrated by Ibn Wahb and others on the authority of 'Umar Ibn Al-Khattab "Allah be pleased with him" that he said: "The Sunnah is what Allah and His Messenger "peace be upon him" ratified. So, do not make your independent opinion have a share in the Sunnah of the ummah."⁽²⁾

It is also narrated by Ibn Wahb on the authority of Hisham Ibn 'Urwah from his father that he said: "The matter of the children of Israel remained straight until the emergence of the Muwalladun, i.e. those born from the female-slave captives taken from the other (conquered) nations, who, in turn, led them depending upon their own opinion, thereupon they misguided the children of Israel."⁽³⁾

It is narrated on the authority of Ash-Sha'bi that he said: "You indeed have been ruined just when you left the tradition and depended upon your own (groundless) analogies."⁽⁴⁾

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" that he said: "Indeed, those who were before you had been ruined when their paths varied and they deviated from the right way, left the tradition and explained the religion depending upon their own opinion, thereby went astray and misled the people."⁽⁵⁾

It is narrated on the authority of Daraj Ibn As-Sahm Ibn Asmah that he said: "A time will come upon the people that everyone will fatten his riding mount so much that it will put on flesh and fat, and he will ride it and travel through the land to the different regions until it will become lean, in search for somebody to give him fatwa depending upon an act of Sunnah acted upon (by the righteous predecessors), but he will find only those who will give their fatwa depending upon their own assumptions."⁽⁶⁾

There is difference among the religious scholars about what is intended by the opinion mentioned in those narrations and traditions:

According to some, it is the opinion of the men of religious innovations who oppose the acts of Sunnah concerning the creed, like the Jahmiyyah and others belonging to the scholastic theology, who used their opinions to repel the Hadiths proven from The Messenger of Allah "peace be upon him" and

(1) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135-136.

(2) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:136.

(3) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:136.

(4) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:137.

(5) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:137.

(6) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:138.

even the apparent meanings of the Qur'an with no just cause requiring interpretation, just as their argument about the denial of the vision (of Allah) at all, the torment of the grave, the balance of deeds, and the Sirat. They also rejected the Hadiths concerning the intercession and the Lake-Fount ...to the end of those things which are mentioned in detail in the literacy of the scholastic theology.

According to others, the blameworthy deficient opinion is the invention of anything in the religion, since all religious innovations go back to the independent opinion invented in the religion which deviates from Shari'ah. That is indeed more prominent. The evidences mentioned above do not point out, according to the first argument, a certain kind of religious innovations apart from others, in so much as they indicate to all the religious innovations in general, which did and will take place until the Day of Judgment, be they concerned with the fundamentals or the branches.

That is the statement of Al-Qadi Isma'eel in his comment on Allah's saying: **{Verily, those who divide their religion and break up into sects, you (O Muhammad SAW) have no concern in them in the least.}** [Al-An'am 159] according to him, it is applicable to the Khawarij.

In this way, the sayings mentioned above in regard with some religious innovators should be explained according to the required need. Although the first Holy Verse of Surat Al 'Imran was revealed in connection with the Christians of Najran, it was later construed to address the Khawarij. The point is that such Holy Verses should be construed, as the context requires, according to the present need rather than what is required by the apparent meaning of the word. As such you should understand the words of the early commentators of the Qur'an, due to their high position in knowledge, and good rank in understanding the Book and the Sunnah. However, this concept is explained in more detail, but not in this context.

According to a third group of scholars, representing the majority as claimed by Ibn 'Abd-Al-Barr⁽¹⁾, the blameworthy opinion intended here is that which addresses the Shari'ah rulings, just depending upon assumption and acceptability, engagement in memorization of dilemmas and abstruse matters, and reduction of the detail issues to each other by way of analogy rather than to their fundamentals, not putting into account their reasons and considerations, and the use of opinion before their occurrence.⁽²⁾

That is because, as they claim, to engage and delve in this makes idle the acts of Sunnah, increases ignorance of them, and gives no care to the knowledge of what is needed from it as well as from the Book of Allah Almighty.

(1) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:138.

(2) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:139.

They supported their argument by the fact that ‘Umar Ibn Al-Khattab "Allah be pleased with him" cursed him who asked about things which had not occurred yet, the forbiddance of engagement in the abstruse and problematic questions, and involvement in asking so many questions (unnecessarily). He criticized such questions. Furthermore, a lot of the righteous predecessors did not answer but the questions about things which had already happened rather than what had not taken place yet.

This argument is similar to the previous one, for its patrons forbade to give independent opinions even though not blameworthy, since to give so many opinions might lead to the blameworthy opinion: that is, not to consider the acts of Sunnah, and be satisfied only with the independent opinion. In this way, this argument is combined with the previous one. It is a well-known fact that if the Divine law forbids anything, this forbiddance should extend to everything related to it. Do you not see the statement of The Messenger of Allah “peace be upon him”: "The lawful is evident, and the unlawful is evident; and in between them, there are suspicious matters (which you should avoid)" ⁽¹⁾ ? A mention may also be made of the principle of elimination of means that may lead to unfavorable consequences: in other words, to abstain from the permissible which may lead to the impermissible. The stronger the potential prevented evil is, the more extensive the forbiddance of the means should be.

The proofs mentioned above clarifies how severe is the evil resulting from the invention in religion. That is why some religious scholars abstained from adopting the opinion based on analogy, even though made according to the right way. Some abstained from giving fatwa according to it in certain incidents before they should actually happen.

In this connection, they related a Hadith narrated from The Messenger of Allah “peace be upon him” that he said: "Do not hasten to (give your opinion about) a calamity before it should take place. However, should you do so, you would lose the right way." ⁽²⁾

It is narrated too, in an authentic Hadith, from him “peace be upon him” that he forbade asking so many questions ⁽³⁾, and said: "Verily, Allah Almighty has enjoined obligatory duties which you should not waste, forbidden things which you should not violate, set limits which you should not exceed, and kept silent from things, out of mercy, not out of forgetfulness, which you should

(1) Al-Bukhari, Hadith no. 52, 2051; Muslim, Hadith no. 1599; Abu Dawud, Hadith no. 3329; At-Tirmithi, Hadith no. 1205; An-Nasa’i, 7:241; Ad-Darimi, Hadith no. 2531; Al-Baghawi, Hadith no. 2042; Al-Baihaqi, 5:264; Ahmad in his Musnad, 4:267, 269, 270, 271, 275; and Ibn Hibban in Kitab Ar-Raqa’iq, Hadith no. 719.

(2) Ad-Darimi, Hadith no. 116; At-Tabarani, Hadith no. 5413, according to Kanz Al-Ummal, 3:46.

(3) Kanz Al-Ummal, 16:46047, no. 43871, 43873, 43874; At-Tabarani in Al-Kabir, 16:86, no. 44028.

not look for."⁽¹⁾

Some scholars referred such questions to the rulers to give fatwa concerning them. They called them the 'cases selected for the rulers'.

Other scholars used to give fatwa but not on their authority, i.e. to make it a merely personal opinion rather than a fatwa based on certified knowledge. A typical case is the statement of Abu Bakr As-Siddik "Allah be pleased with him" in reply to a question about the deceased who leaves neither descendants nor ascendants to inherit his property, thereupon he said: "I could talk about it depending upon my personal opinion: if it is right, that is a favor from Allah, and if it is wrong, that is (a mistake) from me and Satan." Then, he gave his answer.

It is also narrated that a man came to Sa'eed Ibn Al-Musayyab "may Allah have mercy upon him" and asked him about something, and he dictated it to him. Then, he asked him about his personal opinion about it, and he told him, thereupon the man wrote it down. One from among the present men said to Sa'eed: "O Abu Muhammad! Would you really write your personal opinion?" Sa'eed said to the man (who wrote it down): "Give it (the document) to me." He gave it to him, thereupon Sa'eed tore it.

On another occasion, Al-Qasim Ibn Muhammad was asked about something, and he gave his opinion about it. When the questioner turned away, he invited him and said to him: "Do not say that Al-Qasim Ibn Muhammad pretends that this is the right opinion. But anyway, you could act upon it, should you find it necessary for you to do so."

According to Malik Ibn Anas "may Allah have mercy upon him": "The Messenger of Allah "peace be upon him" died and this matter (of religion) was perfect and complete. So, we should follow the tradition of The Messenger of Allah "peace be upon him" rather than the independent opinion. That is because if you follow your independent opinion, then, it may be that a man, stronger than you in argument, would come, thereupon you would follow him. In this way, every time a man of stronger argument comes, you would follow him in an endless series of imitation."

Although it is proven that he used to give his independent opinion, he, more often, recited after striving his best to give the right opinion about a certain incident depending upon his religious knowledge as much as he could: **{"We do not think it but as a conjecture, and we have no firm convincing belief (therein)."} [Al-Jathiyah 32]**

In view of fear for the hair-splitters in analogy, he always condemned

(1) Al-Baihaqi in As-Sunan Al-Kubra, 10:12; Al-Hakim in Al-Mustadrak, 4:115; Ibn 'Abd Al-Barr, 2:136; Ibn An-Najjar in Al-Kanz, 1:381, no. 1656.

them. He dispraised the people of Iraq for they disposed of analogy more in rulings. He said many things concerning this, the lightest of them is his statement: "Regarding things only acceptable constitutes nine-tenths the knowledge, and the one who is absorbed in making analogies hyperbolically is about to leave the Sunnah."

All those traditions do not single out the opinions concerning the belief. They aggravate the matter of giving opinion so much even though founded, lest it would lead to the unfounded opinion.

In sum, the blameworthy opinion is that which is related to a Shari'ah principle, and based on ignorance and following the inclination; and this applies to its related means and consequences, no matter how appreciated it might seem. What is related to a Shari'ah principle is a religious innovation; and what is not related to it is not a religious innovation at all.

6.2. A Chapter On The Sixth Source Of Transmitted Texts

This includes some forbidden attributes and blameworthy aspects of the religious innovations. It is indeed an explanatory of what has already been mentioned in the previous chapters, and also has some more details.

It should be known to you that no act of worship, such as prayer, fasting, charity or so, would be accepted in accompaniment of a religious innovation. Furthermore, the one who sits with a religious innovator is deprived of infallibility, and entrusted to his own self; and the one who seeks for him or shows respect for him contributes in the destruction of Islam. Then, what do you think about the religious innovator himself? Of course, he is cursed by Shari'ah, and by his worship on the light of his religious innovation, he keeps himself farther from Allah Almighty.

The religious innovation itself is a cause of spreading enmity and hatred among the people, deprives its perpetrator from the Muhammadan intercession, and removes its corresponding acts of Sunnah. Furthermore, the religious innovator bears the sin of him who acts upon it, no repentance is accepted from him, humiliation and wrath are bestowed upon him by Allah Almighty, and he will be driven away from the Lake-Fount of The Messenger of Allah "peace be upon him".

There is fear that he would be regarded a disbeliever, as being an apostate from Islam, whose end will be evil at his death; and that his face will blacken and he will be punished with the fire of Hell in the hereafter. No doubt, The Messenger of Allah "peace be upon him" and the faithful believers are disassociated from him. There is also fear that he might be tempted in this world, in addition to his punishment in the hereafter.

That no deed is accepted in accompaniment of a religious innovation, it is narrated from Al-Awza'i that he said: "A religious scholar used to say: "No doubt, Allah never accepts any deed from a religious innovator: neither prayer, nor fasting, nor charity, nor Jihad, nor Hajj, nor 'Umrah, nor obligatory nor supererogatory deed.""⁽¹⁾

According to Asad Ibn Musa: "Beware of having a brother, a sitter or a companion from among the religious innovators. It is narrated in a tradition that "whoever sits with a religious innovator is deprived of infallibility, and entrusted to his own self; and the one who seeks for him or shows respect for him contributes in the destruction of Islam." It is also said: "No object of

(1) A similar one is narrated by Ibn Majah on the authority of Huthaifah; and Ad-Dailami on the authority of Anas. [See Kanz Al-'Ummal 1:220-221].

worship, other than Allah, more hateful to Allah Almighty than a follower of inclination." The Messenger of Allah "peace be upon him" invoked curse upon the religious innovators, from whom Allah accepts no obligatory, nor supererogatory nor voluntary deed; and the more they strive in prayer and fasting, the farther they become from Allah Almighty. so, avoid sitting with them, and further put them to humiliation, and keep them away from you, such as The Messenger of Allah "peace be upon him" and the rightly-guided Imams after him did so.

Ayyub As-Sikhtiyani "may Allah have mercy upon him" used to say: "No religious innovator strives (in worship according to his innovation) but that he becomes farther from Allah Almighty."⁽¹⁾

According to Hisham Ibn Hassan: "No doubt, Allah never accepts any deed from a religious innovator: neither prayer, nor fasting, nor Zakah, nor Jihad, nor Hajj, nor 'Umrah, nor charity, nor emancipation (of slaves for the sake of Allah), nor obligatory nor supererogatory deed."⁽²⁾

It is narrated by Ibn Wahb on the authority of 'Abdullah Ibn 'Umar "Allah be pleased with them" that he said: "He, who alleges that with Allah Almighty, there is a judge or a sustainer, or that he has the power to benefit or harm himself (without Allah), (or the power to give himself) life, death, or resurrection, he will meet Allah (on the Day of Judgment), Who will refute his argument, cause him to be mute, and make his prayer and fasting as floating dust scattered about, and then throw him, prone on his face, into the Hell-fire."

Those narrations are authentic, since the main point they are centered upon has a fundamental origin in Shari'ah.

That no deed will be accepted from the religious innovations, is mentioned in many Hadiths explicitly, like the religious innovation of the Anti-Fatalists, in connection with whom, 'Abdullah Ibn 'Umar "Allah be pleased with them" said, in an authentic Hadith: "If you meet those, tell them that I have nothing to do with them, as well as they have nothing to do with me. By Him, by Whom 'Abdullah Ibn 'Umar should take oath, if anyone of them has gold as much as is the mountain of Uhud which he spent entirely, Allah will never accept it from him until he believes in the fate." Then, he quoted the Hadith of Gabriel "peace be upon him" related in Sahih Muslim.⁽³⁾

The same is true of the Hadith about the Khawarij, in which he "peace be upon him" said: "You will consider your prayer, fasting and all of your deeds trifling in comparison to theirs. They will desert Islam as an arrow goes

(1) Siyar A'lam An-Nubala', 6:15; Al-Hilyah, 3:2.

(2) See note 272.

(3) Muslim, Hadith no. 1[8]; Al-Bukhari, Hadith no. 50, 4777; An-Nasa'i, Hadith no. 4993; Ibn Majah, Hadith no. 63; At-Tirmithi, Hadith no. 2613; Abu Dawud, Hadith no. 4695.

through a victim's body"...to the end of the Hadith.⁽¹⁾

Being so, there is fear then for every religious innovation in general.

That no deed is accepted from the religious innovation is open to two probable interpretations: it may be to accept no deed at all whatsoever, or only the deeds in which he makes his religious innovation, apart from the other deeds in which there is no religious innovation.

The first probability has three justifications:

The first is to understand it apparently, in the sense that the deeds of the religious innovator, whatsoever, are not accepted at all, whether or not it is based on this religious innovation. This interpretation is attested by the Hadith of Ibn 'Umar "Allah be pleased with them" mentioned above, as well as the Hadith narrated on the authority of 'Ali Ibn Abu Talib "Allah be pleased with him" in which he addressed the people and he had a sword in which there was a paper hung in it. Then, he said: "We have no Book to recite except the Book of Allah (Qur'an) and this paper." Then 'Ali took out the paper, and behold! There was written in it the legal verdicts about the retaliation for wounds, the ages of the camels (to be paid as Zakah or as blood money). In it the following was also written: "Medina is a sanctuary from 'Air (mountain) to Thawr (mountain). So whoever innovates in it a heresy (something new in religion) or commits a crime in it or gives shelter to such an innovator, will incur upon himself the curse of Allah, the angels and all the people, and no obligatory nor supererogatory deed will be accepted from him on the Day of Judgment"...to the end of the Hadith. That is indeed very hard upon the inventors of heresies in religion.

The second is to make his religious innovation a foundation from which all of his deeds spring, such as to deny the deeds based on the Ahad (solitary) Hadiths. It is well-known that almost all obligations in general are based on this kind of news, since a competent for religious assignments is obligated to do a thing on command from the Book of Allah Almighty or the Sunnah of His Messenger "peace be upon him", and anything springing from them belongs to them.

In regard with the Sunnah of the Prophet "peace be upon him", to be sure, the greater part of texts of the Sunnah is transmitted on the solitary basis; and one could hardly find a Mutawatir (collectively contiguous) Hadith transmitted from The Messenger of Allah "peace be upon him", even though it is possible. In regard with the Book, it is explained in the Sunnah, for the Sunnah clarifies, in detail, what is not made clear in the Holy Qur'an.

Being so, the one who abandons the solitary stories depends upon his

(1) Al-Bukhari, Hadith no. 3344, 3611, 4351, 5057, 5058, 6163, 6930-32, 7432; Muslim, Hadith no. 1064, 1066; An-Nasa'i, Hadith no. 2579; 'Abd-Ar-Razzaq in Al-Musannaf, Hadith no. 18649, 18650, 18676-77; Ahmad in his Musnad, 1:88, 3:5, 4:145, 422; Ibn Majah, Hadith no. 168-172, 174.

personal opinion; and that is indeed the religious innovation. In this sense, any deed springing from this foundation is based on a religious innovation, which is not accepted from him, as shown in the authentic Hadith in which The Messenger of Allah “peace be upon him” says: “Every deed which disagrees with our matter (of religion) is rejected (from him as being void).” That is because it is a religious innovation upon which the deed is based; and to be sure, the (rewards of) deeds depend upon the intention, and everyone will have (the reward of) whatever he intends for.⁽¹⁾

A typical example for this kind of religious innovation is the argument of him who states that the deeds are due only on the one who has not yet attained the rank of the *Awliya'*, and the facts of monotheism have not been revealed to him, apart from the one from whom the veil has been removed, and the facts of monotheism have been revealed, upon whom no deed is due. This argument is based on a principle which is, however, explicit disbelief, irrelevant to talk about in detail in this place.

It is narrated by At-Tirmithi on the authority of Abu Rafi' "Allah be pleased with him" that the Messenger of Allah “peace be upon him” said: “I do not (like to) see anyone of you sitting on his bed, while being informed of that which I've commanded (you to do) or that which I've forbidden (you to do), thereupon he would say (by way of denial): “I do not know! We only follow that which we find in Allah's Book.””⁽²⁾

According to another version, he “peace be upon him” said: “A time is about to come, that a man will be told of a Hadith of mine, while reclining on his sofa, thereupon he will say (by way of rejecting it, out of foolishness and faithlessness): “There is only Allah's Book to stand (as judge) between you and us: we make lawful whatever we find lawful in it; and we forbid whatever we find unlawful in it.” Behold! What the Messenger of Allah “peace be upon him” has forbidden is the same as is forbidden by Allah Almighty (in the Qur'an, by which we are required to abide!)”⁽³⁾ At-Tirmithi renders it Hasan.

This Hadith is related to condemn the rejecters of the Sunnah and prove that the Sunnah of The Messenger of Allah “peace be upon him”, concerning what is made lawful and what is made unlawful, is equal to the Book of Allah Almighty. whoever leaves it has indeed established his deed just on his independent opinion, neither on the Book of Allah, nor on the Sunnah of The Messenger of Allah “peace be upon him”.

Furthermore, the religious innovation could lead its perpetrator to apostasy, whether or not by consensus of the religious scholars, who have two different opinions about ascribing to disbelief the religious innovator. There

(1) Al-Bukhari, Hadith no. 1, 54, 2529, 3898, 5070, 6689, 6953; Muslim, Hadith no. 1907; At-Tirmithi, Hadith no. 1647; An-Nasa'i, Hadith no. 75; Ibn Majah, Hadith no. 4227; Ahmad, 1:25, 42; Al-Baihaqi, 1:41, 298, 2:14, 4:112, 5:309, 6:331.

(2) It is also narrated by Ibn Majah, Hadith no. 13.

(3) It is narrated on the authority of Al-Miqdam Ibn Ma'di-Karib: Ibn Majah, Hadith no. 12.

are many aspects indicative of that. A mention may be made of the statement of The Messenger of Allah "peace be upon him" about the Khawarij: "They will desert Islam as an arrow goes through a victim's body, so that the hunter, on looking at the arrow's blade, would see nothing on it. He would look at its strings and see nothing. He would look at its shaft and see nothing. He would look at its feathers and see nothing (neither meat nor blood), for the arrow has been too fast even for the blood and excretions to smear."⁽¹⁾

From among the supportive Quranic Verses, the following is relevant: **{On the Day (of Judgment) when some faces will become white and some faces will become black; as for those whose faces will become black (to them will be said): "Did you reject Faith after accepting it? Then taste the torment (in Hell) for rejecting Faith." And for those whose faces will become white, they will be in Allah's Mercy (Paradise), therein they shall dwell forever.}** [Al 'Imran 106-107]

The third is that the religious innovator, in some acts of worship, may be led by the belief he has on the basis of his religious innovation, to a certain interpretation which weakens his belief concerning the Shari'ah, and this, in turn, invalidates all of his deeds afterwards. There are many examples to illustrate that, including:

To give reasoning predominance over the ordinance in legislation. To be sure, the Divine ordinance came to expose what is required by reasoning. I do not know whether those, in their worship of Allah Almighty, judge on the light of His ordinance or on the light of their reasoning. In their view, the ordinance is like an assisting follower rather than a followed judge. That is the unfounded legislation, because all deeds such a person does are based on his reasoning; and in case he makes the ordinance share it, the matter will not go beyond partnership to privacy. That is invalid, on the basis of the proof that nullifies the reason-based appreciation or depreciation, which is considered a prominent religious innovation in the sight of the scholastic theologians; and every religious innovation is an error.

To regard that the Divine ordinance has not been perfect yet. In this way, for the one who sees pleasant a religious innovation, the following statement of Allah Almighty is meaningless: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma'idah 3] the one who has good assumption among them interprets it in such a way as to turn it from its right and correct meaning.

That is because most of those sects who invent such religious innovations lead a life of abstinence, asceticism and isolation from the people; and the laymen always follow them in this respect. But the one who sticks to the group (of Muslims), whatsoever the most pious among the creatures of Allah Almighty, is regarded by them to belong to the commons. The private, in their

(1) It is narrated on the authority of Abu Sa'eed Al-Khudri: Al-Bukhari, Hadith no. 3610.

view, are only the isolated ones. For this reason, most of the laymen who appreciate them, and are inclined to imitate their conduct, more often despise anyone not following their method, and regard him veiled from their lights.

Anyone having such a belief is far from the law of the ordinance regulated by the righteous predecessors, and its limits set by the jurisprudents endued in knowledge. According to them, one is not on the right path until he follows their own conduct. At this point, any deed they do will not be based on the spirit of real belief, and that is why their deeds are not accepted, no matter how legal they might seem, since their wrong belief about them invalidate them entirely. Such a person is more entitled that no obligatory nor supererogatory deed should be accepted from him, Allah forbid!

The second probability, according to which only the deeds based on the religious innovation are not accepted from him, is attested by the apparent meaning of the Hadith previously mentioned: "Every deed which disagrees with our matter (of religion) is rejected (from him as being void)." This is understood clearly from his other statement: "Every religious innovation is an error." That is, the religious innovator is not on the straight path. That is indeed the reason lying behind the unacceptability of the deeds.

A mention also may be made of Allah's statement: **{and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious.}** [Al-An'am 153]

The religious innovator, more often, is not exclusive to prayer apart from fasting, nor to fasting apart from Zakah, nor to Zakah apart from Hajj, nor to Hajj apart from Jihad, and so to the end of deeds, for the motive that stimulates him is present with him in all of his deeds, i.e. his inclination, and ignorance of the Shari'ah of Allah Almighty, as will be explained later, Allah willing.

It is narrated on the authority of Yahya Ibn Yahya⁽¹⁾ that he mentioned the men of Heights thereupon he grieved and said: "We all belong to Allah, and to Him we all shall return." Then he said: "Those are a people who liked to do good, and failed to attain it." It was said to him: "O Abu Muhammad! Is there any reward expected to them for their endeavor?" on that he said: "No reward is expected for the opposition of the Sunnah."

That the religious innovator is deprived of infallibility and entrusted to his own self, the textual evidence in support of it has already been transmitted. Its meaning is very clear. It is a well-known fact that Allah Almighty sent Muhammad "peace be upon him" as a mercy to the worlds, as He told in His Holy Book. Before this light rose upon us, we were not guided to the right path, and further knew nothing but little about our worldly interests, and nothing at all about the hereafter affairs. Everyone used to follow his inclination and leave those of others, whatsoever. So, they continued to be in

(1) Siyar A'lam An-Nubala', 10:519; Tahthib At-Tahthib, 11:300.

dissonance, and corruption befell them entirely, their public and private, until Allah Almighty sent His Prophet “peace be upon him” to remove suspicion and confusion, and settle the disputes and differences that were among the people.

In confirmation of that, Allah Almighty said: **{Mankind were one people and Allah sent Prophets with glad tidings and warnings, and with them He sent down the Scripture in truth to judge between people in matters wherein they differed. And only those to whom (the Scripture) was given differed concerning it after clear proofs had come unto them through hatred, one to another. Then Allah by His Leave guided those who believed to the truth of that wherein they differed.}** [Al-Baqarah 213]

He further said: **{Mankind were but one people (i.e. on one religion - Islamic Monotheism), then they differed (later), and had not it been for a Word that went forth before from your Lord, it would have been settled between them regarding what they differed.}** [Yunus 19]

There was no dispute they had among themselves but that it was settled in it in a way that brings them into harmony and unifies their opinions. Of course, this is to serve their benefit in their world and the hereafter, and avert from them mischief and corruption. The result was the reduction of debts, murders, blood-wets, and pride of ancestries and possessions in ways well-known by the religious scholars. That is the Qur'an revealed upon The Messenger of Allah “peace be upon him” in deed, word and acknowledgement. They were not referred to their own selves to regulate their affairs, in view of the knowledge that they could not do so by their own selves independently.

If the religious innovator then leaves those great gifts and abundant grants, and inclines to reform his affairs and the matters of his world by his own self, depending upon his opinion which has no proof in the Divine ordinance, then, how should he remain infallible and continue to receive that mercy of Allah, given that, by so doing, he would unfasten himself from the rope of infallibility, and rather incline to the regulation of his own self? He then is entitled to be far from the mercy of Allah Almighty.

In confirmation of that, Allah Almighty said: **{Fear Allah (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared...And hold fast, all of you together, to the Rope of Allah (i.e. this Qur'an), and not be divided among yourselves.}** [Al 'Imran 102-103] He thus gave the impression that to hold fast to the rope of Allah means to fear Allah Almighty as it should be, and anything else leads to division. Division is among the most despicable attributes of the religious innovator, for he deviates from the ruling of Allah Almighty, and disagrees with the established community of the Muslims.

It is narrated by 'Abd Ibn Humaid Ibn 'Abdullah that the rope of Allah Almighty stands for the group (of Muslims).

It is narrated on the authority of Qatadah that he said: "Allah's strong

rope is His Qur'an, the Sunnah of His Prophet "peace be upon him" and His covenant to His servants to hold fast to the good it contains. They should stick to Him (Allah), and hold fast to His rope. In confirmation of that, He said: **{and hold fast to Allah (i.e. have confidence in Allah, and depend upon Him in all your affairs). He is your Mawla (Patron, Lord), what an Excellent Mawla and what an Excellent Helper!}** [Al-Hajj 78]

That the one who seeks for him and venerates him (the religious innovator) contributes in the destruction of Islam, it has already been transmitted. Furthermore, it is narrated in a Marfu' Hadith: "He, who comes to a religious innovator to venerate him has indeed contributed in the destruction of Islam."⁽¹⁾

It is narrated on the authority of Hisham Ibn 'Urwah from The Messenger of Allah "peace be upon him" that he said: "He, who venerates a religious innovator has indeed contributed in the destruction of Islam."

The same meaning lies in the statement of The Messenger of Allah "peace be upon him": "He, who invents a heresy (in religion), or gives refuge to an inventor of religious heresy has incurred upon himself the curse of Allah, the angels and all the people."⁽²⁾

It is the same to give refuge to or venerate him, since both lead to honoring him for the sake of his religious innovation. We have learnt that the Divine law commands to deter him, and put him to humiliation and ignominy by striking and even killing him. Thus, to venerate him is opposed to acting upon the law of Islam; and Islam is destroyed only by acting in opposition to it, rather than acting upon it.

On the other hand, to venerate a religious innovator causes two evils which mainly contribute in the destruction of Islam:

One of them is that the ignorant and laymen pay attention to this veneration, thinking that the religious innovator is the best of people, and what he does (in regard with religion and faith) is better than anyone else, which makes them prefer to follow him on his religious innovation rather than to follow the men of Sunnah on their right way.

The other is that if he is venerated just for the sake of his religious innovation, this would motivate him to persist in invention. Anyway, the religious innovation, in this sense, would live, whereupon the acts of Sunnah would die. That is indeed the destruction of Islam.

It is within this context that the Hadith of Mu'ath "Allah be pleased with him" would be construed: "Then, a man will be about to say: "No one will follow me: what is the matter with them that they do not follow me and I recite the Qur'an? They seem not to follow me until I will invent for them one another than this." So, beware of what is invented like this, for any religious

(1) Kanz Al-'Ummal, 1:219, no. 1109; At-Tabarani in Al-Kabir, 1:222, no. 1223.

(2) Al-Bukhari, Hadith no. 1771; Muslim, Hadith no. 467[1370].

innovation is indeed an error."⁽¹⁾ It means that the acts of Sunnah would die if the religious innovations are revived; and by the death of the acts of Sunnah, Islam would be ruined.

The texts and deeds handed down from the righteous predecessors give the same confirmation: that is, to act upon the false leads to leave the correct, since by no means could one engage in two opposites.

Furthermore, it is required, by the proven Sunnah, to leave the religious innovation; and whoever acts upon a religious innovation would, inevitably, leave its matching act of Sunnah.

Here, a mention may be made of the narration of Huthaifah "Allah be pleased with him" which was mentioned earlier in this book. It is narrated that he took two stones and placed one of them over the other and then said to his companions: "Do you see the light that is between those stones?" they said: "O Abu 'Abdullah! We do not see light between them but a very little." On that he said: "By Him in Whose Hand is my soul, the religious innovations will emerge so much that nothing of the truth will be seen more than the light that is between those two stones. By Allah, the religious innovations will spread so much that if anyone of them is left, it will be said that an act of Sunnah has been left."⁽²⁾

It is narrated on the authority of Luqman Ibn Abu Idris Al-Khawlani that he used to say: "No people made a religious innovation but that an act of Sunnah would be taken away from them."⁽³⁾

It is narrated on the authority of Hassan Ibn 'Atiyyah that he said: "No people made an innovation in their religion but that its matching act of Sunnah would be taken away by Allah Almighty from them, and never be restored to them once again until the Day of Judgment."⁽⁴⁾

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: "No year comes upon the people but that they make a religious innovation and cause to die an act of Sunnah, until (a time will come at which)

(1) This narration is very short. The narration in full goes as follows: "No doubt, Allah Almighty is a Just Ruler. Blessed and Hallowed be His Name. let the doubtful be ruined! A time will come where the people will be encircled by so many temptations, in which the money will increase abundantly, and the Qur'an will be available to the people so much that it will be learnt by (everyone be it) a man or a woman, a free or a slave, a young or an old; and a man will be about to say: "I have recited the Qur'an: then, what is the matter with the people that they do not follow me although I have recited the Qur'an? They then will not follow me until I invent one another than it." So, beware of what is invented like this, since every religious innovation is an error." [Al-Ibanah Al-Kubra, Ibn Battah 1:154].

(2) Kitab Al-Bida', Ibn Waddah 1:163.

(3) It is narrated by Ahmad in his Musnad and Sa'eed in his Sunan on the authority of Ghatif Ibn Al-Harith; and At-Tabarani in Al-Kabir on the authority of Ibn 'Abbas. See Kanz Al-'Ummal, 1:219, no. 1098, 1099, 1100.

(4) This is narrated by Ibn Wahb on the authority of Al-Awza'i from Hassan Ibn 'Atiyyah [Kitab Al-Bida' by Ibn Waddah 1:94].

the religious innovations will survive and the acts of Sunnah will die."⁽¹⁾ According to another report: "No man makes a religious innovation but that thereby he leaves an act of Sunnah, better than it."

That the religious innovator is cursed by Shari'ah goes back to the statement of The Messenger of Allah "peace be upon him": "whoever innovates in it (Medina) a heresy (something new in religion) or commits a crime in it or gives shelter to such an innovator, will incur upon himself the curse of Allah, the angels and all the people." This includes also following an evil way which has no reference in Islam.

The religious innovator shares this curse with the one who disbelieved after he believed and witnessed that the Prophetic mission of The Messenger of Allah "peace be upon him" is a fact in which there is no doubt, and received from Allah guidance and healing clear signs. That is the significance of Allah's saying: **{How shall Allah guide those who reject Faith after they accepted it and bore witness that the Messenger was true and that Clear Signs had come unto them? But Allah guides not a people unjust. Of such the reward is that on them (rests) the curse of Allah, of His angels, and of all mankind.}** [Al 'Imran 86-87]

He also shares it with him who concealed what was revealed in the Book of Allah. That is the significance of the statement of Allah: **{Those who conceal the Clear (Signs) We have sent down, and the Guidance, after we have made it clear for the People in the Book, on them shall be Allah's curse, and the curse of those entitled to curse.}** [Al-Baqarah 159]

Consider here the shared similarity between the religious innovator on the one hand, and those two types of men on the other hand: that is, the opposition of the lawgiver (Allah Almighty). it is well-known that Allah Almighty revealed the Book, set the laws, and clarified the way to be followed as much as it should be. The disbeliever opposes it by rejecting it entirely; and the same is true of the one who conceals it, in opposition to the clarification and explication made by the lawgiver. Similarly, the religious innovator opposes it by putting the means to leave what was made clear and conceal what was presented explicitly. That is because his main concern is to make abstruse what is clear, in order to be able to follow what is imprecise and unclear in meaning, since what is clear always undermines the basis on which he established his innovation. He continues to make abstruse what is clear until he commits that with which he incurs upon himself the curse of Allah, the angels and all the people.

Abu Mus'ab, the companion of Malik (Ibn Anas) said: Ibn Mahdi came to us (in Medina) and offered prayer (with us) and put his upper garment in front of the row. When he concluded with the end salutation, the people peered at him and looked at Malik. When he finished he asked: "Who are there from

(1) Kitab Al-Bida' by Ibn Waddaah 1:100].

among the guards?" two persons came to him to whom he said: "Take the man of this dress and put him to prison." He was put to prison, and it was said to Malik: "He is Ibn Mahdi." He went to him and said: "Have you not feared Allah when you placed your dress in front of you in the row thereby engaged the sights of prayers and made in this mosque of ours something we did not know before? The Messenger of Allah "peace be upon him" said: "He who invented anything (concerning the acts of worship) in this mosque of ours will incur upon himself the curse of Allah, the angels and all the people."" On that Ibn Mahdi went on weeping, and took oath not to do anything like this in the mosque of The Messenger of Allah "peace be upon him" and in any mosque else.

That is indeed the utmost degree of abstention and reservation that one avoids making anything new (concerning the acts of worship) for fear of incurring curse upon himself. Then, what do you think about making anything other than putting the dress as such?

We have already mentioned that it is narrated by At-Tahawi that The Messenger of Allah "peace be upon him" said: "I curse six (types of men) who have been cursed by Allah Almighty and every Prophet whose invocation receives answer: the one who adds things in the religion of Allah (which have no reference in the Qur'an and the Sunnah); the one who gives lie to the fate (and Divine Decree); the one who is given authority, with oppression to humiliate whomever Allah honors, and honor whomever Allah humiliates; the one who leaves my Sunnah; the one who makes lawful what has been made unlawful by Allah; and the one who makes lawful from my household what Allah has made lawful for them."⁽¹⁾

That the religious innovator draws farther from Allah Almighty goes back to what is narrated by Ibn Waddah on the authority of Al-Hasan "may Allah have mercy upon him" that he said: "The more a religious innovators strives in prayer and fasting, the farther he draws from Allah."

It is narrated on the authority of Ayyub As-Sikhtiyani that he used to say: "The more a religious innovators strives in worship, the farther he draws from Allah Almighty."

This is supported by the authentic Hadith in connection with the Khawarij, in which The Messenger of Allah "peace be upon him" said: "There will emerge from the offspring of this man a people who will strive in prayer and fasting so much that you will consider your prayer and fasting trifling in comparison to theirs. They will recite Qur'an but it will not go beyond their throats (because they will not act on it). They will desert Islam as an arrow goes through a victim's body." He first clarified their striving in the acts of worship, and then their remoteness from Allah Almighty.

(1) It is narrated on the authority of 'Amrah Bint 'Abd-Ar-Rahman from 'A'ishah. Al-Bayan Fi Mushkil Al-Athar, At-Tahawi, 8:187.

It is also clear on the basis of the fact that no obligatory nor supererogatory deed will be accepted from him. Every deed he does in accordance with the religious innovation is pointless, as if he has not done it. He also has a further sin more than that of leaving the deed: that is, his obstinacy which is shown in the religious innovation, and the corruption caused to the people in regard with the principles of Shari'ah, and the branches of acts and beliefs. In spite of all of this, he thinks that his religious innovation brings him close to Allah, and admits him to Paradise.

It is proven, by transmitted texts, that nothing brings him close to Allah Almighty other than the deed which he leaves, that should be done in accordance with what He ordained; and that the religious innovations which he adopts make fruitless the deeds.

That the religious innovation is a cause of spreading enmity and hatred among the people of Islam, goes back to the fact that it leads to their division into factions and sects. This is indicated by the Holy Qur'an, as has already been mentioned. He Almighty says: **{And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.}** [Al 'Imran 105] He further said: **{and follow not (other) paths, for they will separate you away from His Path.}** [Al-An'am 153] He said too: **{and be not of the polytheists, Of those who split up their religion (i.e. who left the true Islamic Monotheism), and became sects, (they invented new things in the religion, and followed their vain desires), each sect rejoicing in that which is with it.}** [Ar-Rum 31-32] He also said: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An'am 159] There are many Holy Verses in this respect having the same meaning.

The Messenger of Allah "peace be upon him" also clarified that "Schism among the people is like the razor which removes the roots of the religion."

All those witnesses indicate that the religious innovation always lead to division and enmity among the people. The first witness is the story of the Khawarij who showed enmity towards the Muslims and went on killing them apart from the disbelievers, as stated clearly by the authentic Hadith. Those among them who were close to the rulers and kings went on killing the established group of Sunnah, as told by the storytellers.

The same is true of the religious innovators, who always dissuade the people from following the laws of Shari'ah, condemn them, accuse them of inclination to the worldly benefits, ascribe them to filth and abomination, and give witnesses from the Quranic Verses in condemnation of the world and those inclined to it.

In this connection, It is narrated on the authority of ‘Amr Ibn ‘Ubaid⁽¹⁾ that he said: "Were ‘Ali, ‘Uthman, Talhah and Az-Zubair to give witness before me to (anything even as insignificant as) a sandal's strap, I would have not authorized their witness."

It is narrated on the authority of Mu‘ath Ibn Mu‘ath⁽²⁾ that he said: I asked ‘Amr Ibn ‘Ubaid: "How did Al-Hasan relate that ‘Uthman made the wife of ‘Abd-Ar-Rahman (Ibn ‘Awf) inherit his property after the elapse of her post-marriage waiting term?" he said: "No doubt, the deed of ‘Uthman does not belong to the Sunnah."

It was also said to him: "How does Al-Hasan relate from Samurah (Ibn Jundub)⁽³⁾ about the two intervals?" he said: "What do you have to do with Samurah? May Allah deface Samurah!" nay! May Allah deface ‘Amr Ibn ‘Ubaid himself!

One day, he was asked about something and when he gave his answer, the narrator said to him: "That is not the opinion of our companions." He said: "Who are your companions, may you be deprived of your father?" he said: "Ayyub, Yunus, Ibn ‘Awn, At-Tamimi and others." On that he said: "Those are abominable and filth, dead and not living."

As such the men of error abuse the righteous predecessors, in the hope of publicizing their goods. **{Fain would they extinguish Allah's Light with their mouths, but Allah will not allow but that His Light should be perfected, even though the Unbelievers may detest (it).}** [At-Tawbah 32]

That corruption originates from the Khawarij, who were the first to invoke curse upon the righteous predecessors and render disbelievers the Companions "Allah be pleased with them". Of course, the like of this develops enmity and hatred among the people.

Furthermore, the sect of salvation (i.e. the established community of Sunnah) is commanded to show enmity towards the religious innovators, inflict punishment and torment upon them as well as upon those inclined to them,, and even kill them if it is necessary. The religious scholars warned of accompanying and sitting with them, as has previously been mentioned, since this would lead to sowing the seeds of enmity and hatred among the people. The evil consequence is due upon the one who causes others to leave the established community, by following other ways than the right path of the faithful believers, not by showing enmity and hatred. Why not, given that we are commanded to show enmity towards them, whereas they are commanded to get themselves allied with us, and return to the established community?

That the religious innovation veils one from the intercession of The Messenger of Allah "peace be upon him" goes back to what is narrated from

(1) Al-Bidayah Wan-Nihayah, 10:73; Shatharat Ath-Thahab, 1:210.

(2) Siyar A‘lam An-Nubala’, 9:54; Al-Jarh Wat-Ta‘dil, 8:248.

(3) Siyar A‘lam An-Nubala’, 3:183; Tahthib At-Tahthib, 4:236.

him that he "peace be upon him" said: "My intercession will be incumbent to the people of my ummah, save a religious innovator."⁽¹⁾

This meaning is confirmed by another authentic Hadith narrated on the authority of Ibn 'Abbas "Allah be pleased with both" that he said: The Prophet "peace be upon him" said: "You will be gathered (on the Day of Judgment), bare-footed, naked and not circumcised. The first to be dressed on the Day of Judgment, will be Abraham. Some of my ummah will be brought, and they will be taken towards the left side (the Hell Fire), and I will say: "My companions! My companions!" It will be said: "They reneged and turned back on their heels after you had left them."⁽²⁾ The intercession of The Messenger of Allah "peace be upon him" was not mentioned to be due to them. He rather said: "I will say to them, as Jesus, the pious slave had said to his people: "Let you perish!" it seems, from the beginning of the Hadith, that this desertion does not go back to disbelief, because he "peace be upon him" said: "Some men from among my ummah will be brought." Had they been apostates from Islam, he would not have attributed them to his ummah. Consider also that The Messenger of Allah "peace be upon him" recited in this Hadith Allah's saying: **{If You punish them, they are Your slaves and if You forgive them, Verily You are the All-Mighty, the All-Wise.}** [Al-Ma'idah 118]⁽³⁾ were The Messenger of Allah "peace be upon him" to know that they had renegade from Islam, he would not have mentioned it, since no forgiveness is due to him who dies on disbelief. Forgiveness is expected only for him whose (evil) deed does not lead him to apostasy from Islam, as stated by Allah Almighty in His saying: **{Allah forgives not that partners should be set up with Him; but He forgives anything else, to whom He pleases; to set up partners with Allah is to devise a sin most heinous indeed.}** [An-Nisa' 48]

This Hadith is similar to the one narrated in Al-Muwatta', in which The Messenger of Allah "peace be upon him" said: "I will say: "Let them perish! Let them perish!"

That the religious innovation removes its matching act of Sunnah has previously been mentioned in the talk about the fact that the one who venerates the religious innovator contributes in the destruction of Islam.

That the religious innovator bears the burdens of those who act upon his religious innovation to the Day of Judgment goes back to the statement of Allah Almighty: **{Let them bear, on the Day of Judgment, their own burdens in full, and also (something) of the burdens of those without knowledge, whom they misled. Alas, how grievous the burdens they will bear!}** [An-Nahl 25]

(1) This Hadith in that wording is not proven. Anyway, it is narrated that he "peace be upon him" said: "My intercession will not include two classes of my ummah: Al-Murji'ah and Al-Qadariyyah." [Ibn Abu 'Asim in As-Sunnah, 2:461].

(2) See Al-Bukhari no. 3349 & 3447.

(3) See Tafsir Al-Qur'an Al-'Azim, 2:114.

This is confirmed by the Hadith of The Messenger of Allah “peace be upon him” in which he said: "he who lays the foundation of an evil tradition in Islam, will bear the burden of it, and the burden of anyone who acts upon it subsequently, and that will reduce nothing from their burden."⁽¹⁾

To this meaning refers the other Hadith in which The Messenger of Allah “peace be upon him” said: "Whenever a person is murdered unjustly, there is a share from the burden of the crime on the first son of Adam (for he was the first to lay the foundation of murdering)."⁽²⁾

This justification confirms the meaning of the previous Hadith. That he loaded the sin of murder upon the son of Adam, for he was the first to lay the foundation of murder indicates that the one who lays the foundation of any other act disapproved of by Allah Almighty and His Messenger “peace be upon him” should also bear its burden. Bearing the sin does not pertain to its being of murder apart from the other crimes in so much as it pertains to the fact that he laid the foundation of an evil act in general, and made it a way to be followed by others after him.

Here, a mention may be made also of the statement of The Messenger of Allah “peace be upon him”: "And whoever innovates a religious heresy disapproved of by Allah Almighty and His Messenger, will bear the like of the sins of those who act upon it, without reducing anything from the burdens of the people."⁽³⁾

However, the Hadiths in this respect are so many.

So, let everyone, before making any change in religion, fear his Lord Almighty, and look in which sliding place he will put his foot. How should he have confidence of his mind about legislation and accuse his Lord in what He ordained? This poor does not know what to be added to his record of deeds, which was not in his account before this innovation. There is no religious innovation anyone makes, upon which another person acts after him but that he will bear the sin of that doer, besides the sin of not only making it, but also his acting upon it.

As it is proven that every religious innovation becomes increasingly famous and prevalent along time, the sin born by its inventor then is as much as in proportion to its prevalence and publication, just as the one who lays the foundation of a good act will have the reward of doing it, and the reward of those who act upon it after him to the Day of Judgment.

(1) It is narrated on the authority of Jarir Ibn ‘Abdullah: see Al-Bukhari, Hadith no. 3335, 3867, 7321; Muslim, Hadith no. 1017, 1677; ‘Abd-Ar-Razzaq in Al-Musannaf, 10:464, no. 19718; Ibn Hibban in his Sahih, Hadith no. 5951; Al-Baihaqi in As-Sunan Al-Kubra, 8:15; Ibn Majah, Hadith no. 2615; An-Nasa’i, 7:75; Ahmad, 1:383, 430, 433; Sharh As-Sunnah, 1:198, no. 111.

(2) It is narrated on the authority of ‘Abdullah Ibn Mas‘ud: see Al-Bukhari, Hadith no. 6867.

(3) It is narrated on the authority of Kathir Ibn ‘Abdullah Al-Muzni from his father from his grandfather. [Kitab Al-Bida‘ by Ibn Waddah 1:97].

Furthermore, since every religious innovation requires the death of its matching act of Sunnah, the religious innovator will also bear the sin of this besides that of innovation. This sin is multiplied by the multiplication of the sin of acting upon it, for every time it is renewed in word and deed, its matching act of Sunnah will die more and more.

You could measure your consideration on the religious innovation of the Khawarij, about whom The Messenger of Allah "peace be upon him" said: "They will desert Islam just as an arrow comes out of the game's body." It clarifies that they will have nothing of religion but as little as to rouse the doubt of the beholder about it. This goes back, in principal, to their invention of heresies in the religion of Allah Almighty, as indicated by his saying: "They will kill the Muslims and leave the idolaters...and will recite the Qur'an, but it will not go beyond their collar-bones (as they will neither understand nor act upon it)." Those are three religious innovators, may Allah Almighty save us from their evil by His virtue!

That no repentance is accepted from the religious innovator goes back to the statement of The Messenger of Allah "peace be upon him": "Verily, Allah Almighty has prevented repentance from every religious innovator."⁽¹⁾

It is narrated by Ibn Waddah on the authority of Yahya Ibn Abu 'Amr Ash-Shaibani that he said: It was said: "No repentance is accepted by Allah Almighty from a religious innovator; and a religious innovator does not move but to what is worse than his religious innovation."

It is narrated also by Ibn Waddah on the authority of 'Ali Ibn Abu Talib "Allah be pleased with him" that he said: "No man adopts an opinion based on a religious innovation, which he leaves but that he leaves it to another one that is worse than it."

It is narrated by Ibn Wahb on the authority of 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him" that he used to say: "We never blame two persons: a greedy and an inclined (to his opinion), for they never give up (their conduct)."

It is narrated on the authority of Ibn Shawthab that he said: I heard 'Abdullah Ibn Al-Qasim having said: "No servant follows his inclinations which he leaves but to another one, worse than it." I made a mention of that to one of our companions, thereupon he said: "It is confirmed in a Hadith narrated from The Messenger of Allah "peace be upon him" that he said: "They (the Khawarij) will desert the religion in the same way as an arrow comes out of a game's body and will never return to it until the feather returns to the arrow once again."

It is narrated on the authority of Ayyub that he said: Somebody who used to follow his independent opinion retracted (from his inclination), thereupon I

(1) Ibn Abu 'Asim in *As-Sunnah*, 1:21, no. 37. See also *Al-Kanz* 1:220, no. 1105, 1:221, no. 1116.

rejoiced about it so much and went to Muhammad and made a mention of that to him, and said: "Have you learnt that so and so had retracted from his inclination?" on that he said: "Consider to which state he will change. The concluding part of the Hadith is harder than them than its beginning. He said in its beginning: "They will desert the religion", and in the end: "They will never return to it once again."

The intended Hadith is that narrated on the authority of Abu Tharr "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "There will appear after me, from amongst my ummah, a people, who will recite the Qur'an, even though it will not go beyond their throats (since they will have no faith at all). They will desert the religion just in the same way as an arrow goes out through a game's body; and they will never return to it: they will be the worst of the creatures."⁽¹⁾

All of those Hadiths confirm that no repentance is accepted from a religious innovator. That is because he never leaves his religious innovation but to one which is worse than it, as shown in the narration of Ayyub, or seems to have left it apparently, even though he insists on it, as shown in the story of Ghailan with 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him".

That is confirmed by another Hadith about the different sects to appear after him, in which he "peace be upon him" said: "From among my ummah, some people will appear, to whom those inclinations (to falsehood) will stick in the same way as rabies sticks to the afflicted one, and leaves no vein nor a joint but that it afflicts it."⁽²⁾

As absolute as this generalization required by the negation might seem, it is not unlikely that such a person may repent and retract from his inclination to the truth, as transmitted from 'Abdullah Ibn Al-Hasan Al-'Ambari, the debate of Ibn 'Abbas "Allah be pleased with them" with the Haruriyyah who rebelled against 'Ali "Allah be pleased with him" and the debate of 'Umar Ibn 'Abd-Al-'Aziz with some of them. But the majority of them seem to insist on their inclinations.

That is why we said that it is unlikely that some of them should repent, since the Hadith requires the apparent generalization. This issue, anyway, will be clarified later in a more simple way, Allah willing.

But why he does not repent is because he finds it difficult upon himself to abide by the obligations of Shari'ah, which, more often, are opposed to the inclinations and desires of the soul. The truth, in its nature, is heavy, and the soul becomes active only by what agrees with its inclination. Every religious innovation has a share of inclination, since it originates from the independent opinion of its inventor rather than the ordinance of the lawgiver (Allah).

Furthermore, the religious innovator should base his religious innovation

(1) See Ibn Majah, Hadith no. 170.

(2) Abu Dawud, Hadith no. 4597; Ahmad in his Musnad, 4:102.

upon a malicious allegation to be able to attribute it to the lawgiver, and claim that his opinion is the intent of the lawgiver. In this way, his inclination becomes supported by Shari'ah, according to his allegation. Then, how should he leave it, given that the motive of inclination plays on the claim that what he thinks is good and nice, as it depends upon a Shari'ah-alleged evidence in general?

In this connection, It is narrated on the authority of Al-Awza'i that he said: "I was informed that when one invents a religious innovation, Satan endears worship to him, and bestows upon him the tendency to submissiveness and weeping, as snares to catch him."⁽¹⁾

According to one of the Companions: "The hardest in worship among the people is, more likely, put to temptation." He supported his argument with the statement of The Messenger of Allah "peace be upon him": "You will consider your prayer, fasting and all of your deeds trifling in comparison to theirs. They will desert Islam as an arrow goes through a victim's body"...to the end of the Hadith.

The reality confirms the truth of this statement, as transmitted from the Khawarij and others.

The religious innovator always strives more in order to attain in this world the honor, majesty, property and all worldly desires. He indeed seeks to attain honor for the worldly desires. Do you not see that although the monks isolate themselves in their synagogues and churches, abstain from all pleasures, desires and delights, and undergo the hardest acts of worship, they will abide in the fire of Hell forever? In confirmation of that, Allah says: **{Some faces, that Day, will be humiliated, Laboring (hard), weary, The while they enter the Blazing Fire, The while they are given to drink, of a boiling hot spring, No food will there be for them but a bitter Dari, Which will neither nourish nor satisfy hunger.}** [Al-Ghashiyah 2-7] He further says: **{Say: "Shall we tell you of those who lose most in respect of their deeds? Those whose efforts have been wasted in this life. While they thought that they were acquiring good by their works."}** [Al-Kahf 103-104]

That is because of some activity they experience which makes easy the difficult of what they do, due to their self-inclinations. If a religious innovator sees what he is doing, he will like it, for it causes him to give up the desires and lusts, and see his deed corresponding to the evidence he takes from Shari'ah. Then, what should keep him off sticking to what he does, and prevents him from striving more in it, given that he sees his deeds better than those of others, and his faith and belief stronger and firmer? **{Thus does Allah leave to stray whom He pleases; and guide whom He pleases.}** [Al-Muddaththir 31]

(1) Abu Nasr and Ad-Dailami on the authority of Anas. See Kanz Al-'Ummal, 1:221, no. 1114, 1117.

That the religious innovator will be put to humiliation and ignominy in this world, and overwhelmed with the wrath and anger of Allah goes back to the statement of Allah: **{Those who took the calf (for worship) will indeed be overwhelmed with wrath from their Lord, and with shame in this life: thus do We recompense those who invent (falsehoods).}** [Al-A'raf 152] The meaning is clear: those who took the calf went astray concerning it until they worshipped it when they heard its sounding, and saw what As-Samiri put in it. For them, it was a malicious allegation with which they deviated from the truth they had. The statement of Allah Almighty: **{thus do We recompense those who invent (falsehoods)}** is common to them as well as to their likes in general, since the religious innovation is an invention of lies against Allah Almighty as He told in His saying: **{Lost are those who slay their children, from folly, without knowledge, and forbid food which Allah has provided for them, inventing (lies) against Allah. They have indeed gone astray and heeded no guidance.}** [Al-An'am 140]

Thus, everyone who makes an innovation in the religion of Allah, whatsoever, is humiliated and despicable, no matter how honored and powerful he might seem to the mindless. Their humiliation is visible to the people, in the past and the present. Do you not see the states of the religious innovators at the time of the Tabi'is and those who came after them? Nothing saved them from humiliation other than their taking refuge to the rulers and sultans; and whoever among them failed to do so, ran away with his religious innovation, and hid himself from the sight of the public, and rather acted upon his religious innovation very carefully.

Allah Almighty told that those who took the calf (for worship) will receive in this world what they were promised, saying: **{Shame is pitched over them (like a tent) wherever they are found, except when under a covenant (of protection) from Allah and from men; they draw on themselves wrath from Allah, and pitched over them is (the tent of) destitution.}** [Al 'Imran 112] The reality confirmed this: the Jews are always humiliated and mortified wherever they exist: **{this because they rebelled and transgressed beyond bounds.}** Their transgression included their taking the calf for worship.

That the religious innovator will be kept away from the Lake-Fount of The Messenger of Allah "peace be upon him" goes back to the Hadith narrated by Malik in Al-Muwatta', in which he said: "Some men will be driven away from my Lake-Fount just as a straying camel is driven away."

It is narrated by Al-Bukhari on the authority of Asma' "Allah be pleased with her" that she said: The Prophet "peace be upon him" said: "I will be at my Lake-Fount waiting for whoever will come to me. Then some people will be taken away from me whereupon I will say: "My followers!" It will be said: "You do not know how they reneged after you (deserted their religion)."⁽¹⁾

(1) Sahih Al-Bukhari, Hadith no. 6641.

It is also narrated by Al-Bukhari on the authority of ‘Abdullah "Allah be pleased with him" that he said: The Prophet “peace be upon him” said: “I am your predecessor at the Lake-Fount, and some of you will be brought in front of me till I will see them and then they will be taken away from me and I will say: "O Lord, my companions!" It will be said: “You do not know what they did after you had left.”⁽¹⁾

What seems clearer is that they belong to this (Muslim) ummah, for the sign by which they will be recognized is the brightness of faces, hands and legs, a characteristic of only the Muslims other than anyone else.

Moreover, the Messenger of Allah “peace be upon him” said in this Hadith: “You do not know what they did after you had left.” Had they been the disbelievers, he would have said: “You do not know how they disbelieved after you had left.” It is closer to be construed to refer to the change of the Sunnah, and this applies to the religious innovators.

As for those who say that it is hypocrisy, it is not far from our intention, since the hypocrites act upon the laws and principles of Shari‘ah just to safeguard themselves rather than by way of worship, thereby pervert it improperly; and that is indeed the essence of religious innovation.

This applies to everyone who takes the Sunnah and acts upon it as trickery and a means to attain the worldly benefits, rather than by way of worship of Allah Almighty. That is because by so doing, he changes it, and distorts it from its very position required for it by Shari‘ah.

That there is fear for the religious innovator to be a disbeliever goes back to the fact that the religious scholars of the first generation differed whether to render disbelievers such of their sects as the Khawarij, Anti-Fatalists and others. The evidence for this is clear in His saying: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An‘am 159] He also said: **{On the Day [some] faces will turn white and [some] faces will turn black. As for those whose faces turn black, [to them it will be said], "Did you disbelieve after your belief? Then taste the punishment for what you used to reject."}** [Al ‘Imran 106]

Some religious scholars ascribe many of those sects to disbelief, such as the Batinites, whose doctrine originates from the Haruriyyah, who adopt tenets similar to those of the Christians about Divinity and humanity. If the scholars differ as to whether or not a certain faction is a disbeliever, anyone of sound mind should deem himself far beyond the level of suspicion, whether he is a disbeliever or a straying, or expose himself to those who may make lawful his blood as a disbeliever.

That there is fear for the religious innovator of the evil end goes back to

(1) Sahih Al-Bukhari, Hadith no. 6576.

the fact that by his religious innovation, he is a sinner and disobedient of Allah Almighty. The matter is not whether he disobeys Allah with the major or minor sins: but it is that he disobeys Allah by his insistence on doing what is forbidden by Allah Almighty. Insistence on the minor sin aggravates it until it turns into a major sin, and on the major sin until it turns graver. There is fear on him who dies while insisting on committing sins. It may be that when the fact is uncovered to him to see the signs of the hereafter, Satan stimulates him and prevails over his heart until he dies while insisting on the invention he has made in the religion, given his submission to him during his lifetime, and obsessive love for the worldly benefits.

According to ‘Abd-Al-Haqq Al-Ishbili⁽¹⁾: "The evil end does not befall the one who is righteous and straight outwardly and inwardly, thanks to Allah. But it mainly befalls the one of corrupt mind, or the one who insists on the major sins or the grave misdeeds, or the one who was straight and then changed into another way than his. Thus, his deed becomes a cause of his evil end and bad consequence, Allah forbid. In confirmation of that, Allah Almighty says: **{Verily, never will Allah change the condition of a people until they change it themselves (with their own souls).}** [Ar-Ra’d 11]

I heard about the story of Bal’am Ibn Ba’ura’, whom Allah granted His signs. But he deviated from them, thereupon Satan followed him...to the end of the Quranic Verses.⁽²⁾

That is clear when the religious innovation is considered a sin. As being a religious innovation, the matter becomes graver. That is because the religious innovator, besides his insistence on what is forbidden by Allah, challenges Shari’ah by his mind, rather than submits to it in all of his affairs, thinking his sin to be a good act as he regard pleasant what is regarded bad by the lawgiver, and the good act to be a good act only on the light of his independent opinion, as he regards bad what is regarded pleasant by the lawgiver. Such a person is entitled to have an evil end, save what Allah wills. In confirmation of that, Allah Almighty says: **{Did they then feel secure against the Plan of Allah? But no one can feel secure from the Plan of Allah, except those (doomed) to ruin!}** [Al-A’raf 99] The plan is to bring about evil unknowingly; and the evil end is an aspect of the plan of Allah Almighty, where one is attacked from wherever he expects not.

That the face of the religious innovator will blacken in the hereafter goes back to Allah's saying: **{On the Day [some] faces will turn white and [some] faces will turn black. As for those whose faces turn black, [to them it will be said], "Did you disbelieve after your belief? Then taste the punishment for what you used to reject."}** [Al ‘Imran 106] In his comment on it, Malik said: "If a servant commits all major sins save the

(1) Siyar A’lam An-Nubala’, 21:198; Shatharat Ath-Thahab, 4:271.

(2) Tafsir Ibn Kathir, 2:253-254.

association of partners with Allah (in worship), and is saved from those inclinations, he may be expected to be in the highest garden of Paradise. That is because every major sin is between the servant and his Lord, which he expects to be forgiven for him; whereas every inclination not expected to be forgiven for him will throw its perpetrator down into the fire of Hell."

The disassociation from the religious innovation is stated in Allah's saying: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An'am 159]

A mention may also be made of the Hadith in which he said: "I have nothing to do with them, and they have nothing to do with me."⁽¹⁾

It is narrated on the authority of 'Abdullah Ibn 'Umar "Allah be pleased with them" that he said, in an authentic Hadith in connection with the Anti-Fatalists: "If you meet those, tell them that I have nothing to do with them, as well as they have nothing to do with me."

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" that he said: "Sit not with a religious innovator, since he diseases your heart."

It is narrated on the authority of Sufyan Ath-Thawri "may Allah have mercy upon him" that he said: "Whoever sits with a religious innovator will not be saved from one of the following three: to be a cause of temptation to others; to have something fall in his heart therewith he will slip and enter the fire of Hell because of it; or to say: "By Allah, I will be careless about his speech, since I have confidence of myself." But even, whoever feels safe for his religion by virtue of anything other than Allah Almighty, will be deprived by Allah of it."

It is narrated on the authority of Yahya Ibn Abu Kathir that he said: "If you meet a religious innovator in a way, then, take another way."

It is narrated on the authority of Abu Qilabah that he said: "You should neither sit nor argue with the followers of inclinations, for I am afraid they might overwhelm you in their errors, or put you to confusion about what you used to know."

It is narrated on the authority of Ibrahim that he said: "You should neither sit nor speak with the men of inclinations, since I am afraid your hearts might renegade (from the truth because of their speech)."

However, the traditions in this respect are numerous. This is supported by the Hadith narrated from The Messenger of Allah "peace be upon him" that

(1) It is narrated on the authority of 'Umar Ibn Al-Khattab: At-Tirmithi in his sunan; Ibn Mardawaih; Abu Na'eem in Al-Hilyah; Abu Ash-Shaikh; Ibn Abu Hatim; At-Tabarani; and Al-Baihaqi in Shu'ab Al-Iman [Ad-Durr Al-Manthur 3:402]; see also Tafsir Ibn Kathir, 2:187.

he said: "Verily, man (more often) follows the ways of his companion. So, let anyone of you consider as to whom he is to take for company."⁽¹⁾

This is clear, as stated by Abu Qilabah: one may be certain about a particular act of Sunnah before he receives the opinion of a man of inclination, based on a verbal connotation which has, ultimately, no grounds in Shari'ah, thereupon his heart will accept it. When he returns to what he used to know, he finds it dark and unfamiliar to him. He will either make sense to it and repel it by knowledge if he could, or fail to do so if he has no enough knowledge; or make no sense to it, thereupon he will go on it in the company of those who have been ruined.

According to Ibn Wahb: I heard Malik having said to anyone of inclination whenever he came to him: "As for me, I am on clear evidence from my Lord Almighty; and as for you, since you are skeptical, go to another one who is skeptical like you, and argue with him." Then, he recited: **{Say you: "This is my Way: I do invite unto Allah - on evidence clear as the seeing with one's eyes - I and whoever follows me. Glory to Allah! and never will I join gods with Allah!"}** [Yusuf 108]

A typical example of repelling it by knowledge is taken from his reply to the one who asked him about the significance of the firm establishment (on the Throne) in Allah's saying: **{(Allah) Most Gracious is firmly established on the throne (of authority).}** [Ta Ha 5] He said: "To firmly establish oneself is known, and how it takes place (concerning Allah Almighty) is unknown, and to ask about it is a religious innovation; and I see that you are a religious innovator." Then, he ordered that the asker be driven out.

An example for the failure to repel it is taken from the narration on the authority of Al-Baji from Malik that he used to say: "Do not enable anyone of deviated heart from your ear, for you do not know which of his talk your heart will be attached to."

A man from the Ansar of Medina heard something from somebody belonging to the Anti-Fatalists, to which his heart was attached. He came to his companions to seek their advice, and every time they forbade him to it, he would say to them: "Then, what should I do concerning that to which my heart has been attached? Were I to know that it will please Allah Almighty that I should throw myself from over this minaret, I would do."

It is also reported from Malik that he said: "You should neither sit nor speak with an Anti-Fatalist, unless you talk harshly to him whenever you sit with him. This goes back to the clear statement of Allah Almighty: **{You will not find any people who believe in Allah and the Last Day, loving those who resist Allah and His Messenger, even though they were their fathers or their sons, or their brothers, or their kindred.}** [Al-Mujadilah 22] So, you

(1) At-Tirmithi, Hadith no. 2379; Abu Dawud, Hadith no. 4833; Ahmad in Al-Musnad, 2:302, 324.

should not love such a people."

That there is fear for the religious innovator to be put to temptation goes back to the narration of 'Iyad from Sufyan Ibn 'Uyainah that he said: I asked Malik about him who assumed Ihram in Medina from behind the Miqat (place from where one should assume Ihram), thereupon he said: "Verily, this person opposes Allah and His Messenger "peace be upon him". I am afraid he will be put to temptation in this world, and given to the painful torment in the hereafter. Have you not heard Allah's saying: **{then let those beware who withstand the Messenger's order, lest some temptation befall them, or a grievous Penalty be inflicted on them.}** [An-Nur 63] No doubt, The Messenger of Allah "peace be upon him" commanded that Ihram should be assumed from the Miqat."

It is narrated by Ibn Al-'Arabi⁽¹⁾ on the authority of Az-Zubair Ibn Bakkar that he said: I heard Malik saying to somebody who came to him and said: "O Abu 'Abdullah! from where should I assume Ihram?" he said: "From Thul-Hulaifah, where The Messenger of Allah "peace be upon him" had already assumed Ihram." He said: "but I like to assume Ihram from the mosque." He said: "Do not do so." He said: "I like to assume Ihram from the mosque, near the grave." He said: "Do not do so, for I fear you will be put to temptation." He said: "Which temptation do you mean? It is but a few miles I will increase." He said: "Which temptation is greater than your belief that you have preceded to a virtue of which The Messenger of Allah "peace be upon him" fell short? I heard Allah Almighty saying: **{then let those beware who withstand the Messenger's order, lest some temptation befall them, or a grievous Penalty be inflicted on them.}** [An-Nur 63]

That temptation mentioned by Malik in his comment on the Holy Verse represents the basic rule on which the religious innovators establish their doctrine. They see that what was brought by Allah Almighty in His Holy Book, and set by The Messenger of Allah "peace be upon him" in his Prophet Sunnah is less than that to which their minds are guided.

In connection with the like of this, Ibn Mas'ud "Allah be pleased with him" said, as transmitted by Ibn Waddah from him: "You have been guided to something of which your Prophet "peace be upon him" fell short. You indeed are sticking to the tail of error." The occasion was that he came upon a people having gathered round somebody who said to them: "May Allah bestow mercy upon him who says so and so" once Subhanallah, and the people would say accordingly, "May Allah bestow mercy upon him who says so and so", once Al-hamdu lillah, and the people would say accordingly, and so on.

The Holy Verses by which Malik attested were revealed in connection with the hypocrites, when The Messenger of Allah "peace be upon him" commanded that the trench should be dug. It was those who started to escape

(1) Ash-Shatharat, 4:141.

stealthily. It has already been mentioned that hypocrisy is, in principal, a religious innovation, since it is based on putting something in Shari'ah differently from what is intended by Allah Almighty. for this reason, when He talked about the hypocrites, He said about them: **{These are they who have bartered guidance for error: but their traffic is profitless, and they have lost true direction.}** [Al-Baqarah 16] As it is common to those who disobey his (the Messenger's) commands, it is more entitled to include the hypocrites subsequently.

This set of Quranic Verses and Prophetic Hadiths and traditions are representative of all in this respect, since it will take too long time and space to mention them all and fathom their meanings in detail. So, let us satisfy ourselves with this amount; and with Allah Almighty lies success.

7.2. A Chapter On What Is Needed To Mention In This Context

Here, we are going to explain a general meaning related to what has previously been mentioned. That is, any religious innovation is a misguidance and error, and a religious innovator is straying and misleading. This misguidance is mentioned in a lot of transmitted texts. It is indicated to in the Quranic Verses about the division into sects, factions and ways, unlike the sins which are, more often, not described as misguidance, unless they are based on religious innovations. Similarly, the mistake that is committed in what is permissible, is not described nor called misguidance, nor is its perpetrator, as well as the sinner, a straying or misleading.

The term misguidance is given to the religious innovation in order to bring to mind its severe danger and evil consequence. Guidance is opposed to misguidance. Guidance is given, among the Arabs, to the concrete and apparent. They say, for example: "I have guided him to the way, either of good or of evil." It is in this meaning that Allah Almighty mentions it in His saying: **{We guided him to the Way: whether he be grateful or ungrateful (rests on his will).}** [Al-Insan 3] **{And guided him to the two highways.}** [Al-Balad 10] [Guide us to the straight path.] [Al-Fatihah 6] The path and way give the same meaning. Opposite to guidance is misguidance, which is to deviate from the right way.

The religious innovator, overwhelmed by his inclination and ignorance of the Sunnah, has the false impression that what occurs to his mind is the right way, apart from anything else, thereupon he inclines to it, and, because of which, deviates from the right path. He then strays wherefrom he thinks to be on the right way. His example is like the one who, at night, passes by the way, with no guide to lead him, thereupon he is about to go astray from it and fall in loss, even though he claims to seek for it.

The religious innovator, similarly, from among this ummah, goes astray in the proofs of the Sunnah, which he takes by way of inclination and desire rather than by way of submission to it under the rulings and judgments of Allah Almighty. that is indeed the difference between the religious innovator and anyone else. In other words, the inclination is the first thing sought by the religious innovator according to which he drives the proofs and evidences. The proofs, in nature, are apt to be driven in accordance with the Arab speech; and understanding the Arab speech should be subject to the principle of exclusion on the light of what seems clear from the context. As well as it has such texts as inapt to interpretation, it also has such of texts as apt to apparent interpretation, whatsoever overweighed, as had already been decided by these

of the early generations.

Furthermore, every apparent context could be understood differently, and interpreted in a way far from what is really intended by it, not to mention the ignorance of the principles and fundamentals of Shari'ah, and insufficient knowledge about its main purposes, which would lead to distortion, and deviation from the intents of the Divine law.

He is then more inclined to deviate from the Sunnah, and more ready to mislead others by virtue of the religious innovation. If he is overpowered by inclination, he could then drive the words of proofs to serve his desires.

The evidence for this is that you could hardly find a religious innovator attributed to this religion who does not support his innovation with a Shari'ah-based proof, which he interprets in a way that agrees with his desires and fancies. That is a well-established indisputable fact from the very past. In confirmation of that, Allah Almighty says: **{By it He causes many to stray, and many He leads into the right path; but He causes not to stray, except those who forsake (the path).}** [Al-Baqarah 26] He also says: **{whom Allah wills, He leaves to wander; whom He wills, He places on the Way that is Straight.}** [Al-An'am 39]

But it is only these of imprecise rather than entirely precise meaning that could be driven to serve as proofs for their arguments. The few of them is like the more. That is the clearest evidence for following the inclination.

Most witnesses have the characteristic that, if, by what seems apparent from their contexts, they indicate to anything, it will be the truth in which there is no doubt; and very few among them could otherwise indicate, by what seems apparent from the context, to that over which there is dispute. It is then apparent to reduce the few to the many, and the imprecise to the entirely precise. But unfortunately, the inclination turns down with such as Allah wills to decline: he is in loss where he thinks he is on the right way.

Dissimilar to him is the one who is not a religious innovator: he makes the guidance to the truth his first demand, and relegates his inclination, if there is any, to be subsequent. By so doing, he finds the majority of evidences, and the greater part of the Book entirely precise in service of his demand. Thus, he finds the right way. As for what he fails to obtain, even though very few, he reduces it to what is precise and entirely clear, or to the one who is more knowledgeable of it, and does not lay upon himself the difficulty of searching for its interpretation.

The decisive limit between both is the statement of Allah Almighty: **{So as for those in whose hearts there is a deviation (from the truth), they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings), but no one knows its hidden meanings save Allah. But those firm in knowledge say, "We believe in it. All [of it] is from our Lord."}** [Al 'Imran 7]

The latter then should not be called a religious innovator nor described as stray.

He is not a religious innovator because he follows the Shari'ah evidences by way of submission to Allah, and neediness for Him, giving priority to the command of Allah, and relegating his own inclination.

He is not straying because he follows the right way, which he does his best to attain. However, if he once deviates from it by mistake, there will be no blame on him: on the contrary, he will receive his reward in accordance with his intention, as stated explicitly in the noble Hadith: "If a judge endeavors to give judgment depending upon his reasoning according to the best of his knowledge, in which he is right, he will receive a double reward; and if he endeavors to give judgment depending upon his reasoning according to the best of his knowledge, in which he fails, he will receive a single reward."⁽¹⁾ Moreover, if he deviates from the way even intentionally, he does not do so in order to make his deviation a well-trodden path for himself or for anyone else.

But in case he is imitated in his sin, it will be described as laying the foundation of a tradition in Islam, depending upon the Hadith in which The Messenger of Allah "peace be upon him" said: "he who lays the foundation of an evil tradition in Islam, will bear the burden of it, and the burden of anyone who acts upon it subsequently, and that will reduce nothing from their burden."⁽²⁾

To this meaning refers the other Hadith in which The Messenger of Allah "peace be upon him" said: "Whenever a person is murdered unjustly, there is a share from the burden of the crime on the first son of Adam for he was the first to lay the foundation of murdering."⁽³⁾ Although he described the murder as tradition for anyone to act upon it by way of imitation. But in no way could it be regarded a religious innovation, because it was not stipulated to be a law, nor misguidance because it was not founded according to what is permissible, or to be similar to it.

That the religious innovations are called errors goes back to the old time before Islam, and the era of The Messenger of Allah "peace be upon him". In confirmation of that, Allah Almighty said: **{And when they are told, "Spend you of (the bounties) with which Allah has provided you," The Unbelievers say to those who believe: "Shall we then feed those whom, if Allah had so willed, He would have fed, (Himself)?" You are in nothing but manifest error.}** [Ya Sin 47]

That is, when the disbelievers were commanded to spend out of the wealth Allah provided them with, they proved niggardly and attempted to

(1) Al-Bukhari, Hadith no. 7352; Muslim, Hadith no. 1716; Abu Dawud, Hadith no. 3574; Ibn Majah, Hadith no. 2314; and At-Tirmithi, Hadith no. 1341.

(2) It is narrated on the authority of Jarir Ibn 'Abdullah: see Muslim, Hadith no. 1017.

(3) It is narrated on the authority of 'Abdullah Ibn Mas'ud: see Al-Bukhari, Hadith no. 6867.

justify their behavior, saying: "Shall we then feed those whom, if Allah had so willed, He would have fed, (Himself)?" It is well-known that had Allah so willed, He would have caused no one of the people to be in need of each other. But He Almighty willed to put His servants to trial, to see what they will do. You could then measure their inclinations on this great foundation. Moreover, they followed those Quranic Verses of imprecise meaning in the Book. so, it was said to them: **{You are in nothing but manifest error.}**

Allah Almighty further said: **{Have you not turned your vision to those who declare that they believe in the revelations that have come to you and to those before you? Their (real) wish is to resort together for judgment (in their disputes) to Taghut (the Evil One), though they were ordered to reject him.}** [An-Nisa' 60] Although those acknowledge the principle of arbitration, they liked the judgment to come in agreement with their own inclinations, out of deviation from the truth, and under assumption that all men are fit for judges, and what is judged by Ka'b Ibn Al-Ashraf or anyone else does not differ from what is judged by The Messenger of Allah "peace be upon him", thereby ignoring the fact that the judgment of The Messenger of Allah "peace be upon him" represents the same judgment of Allah which should not be refuted, and that the judgment of anyone else is refutable unless it agrees with the judgment of Allah Almighty.⁽¹⁾

that is why Allah Almighty said in the same Holy Verse: **{But Satan's wish is to lead them astray far away (from the Right).}** what seems from the context of the Holy Verse is that it was revealed in connection with those who adopted Islam; and this opinion is supported by His saying in its beginning: **{Have you not turned your vision to those who declare that they believe in the revelations that have come to you.}** nevertheless, some commentators are of the opinion that it was revealed in connection with a man from among the hypocrites or a man from among the Ansar (and Allah knows best).

Allah Almighty said too: **{It was not Allah who instituted (superstitions like those of) Bahirah (a slit-ear she-camel, or Sa'ibah (a she-camel let loose for free pasture), or Wasilah (idol sacrifices for twin births in animals), or Ham (stallion camels freed from work); it is blasphemers who invent a lie against Allah; but most of them lack wisdom.}** [Al-Ma'idah 103]

They indeed set an act and invented something strange in the religion of Abraham "peace be upon him" under the false impression that this religious innovation would bring them closer to Allah Almighty, just like the truth brought by Abraham "peace be upon him" would do. But even, they invented lies against Allah Almighty when they alleged that both are similar in this point, thereupon they were lost in what is permissible. That is why Allah Almighty

(1) Tafsir Ibn Kathir, 1:492.

said following this Holy Verse: **{O you who believe! guard your own souls: if you follow (right) guidance, no hurt can come to you from those who stray. The goal of you all is to Allah: it is He that will show you the truth of all that you do.}** [Al-Ma'idah 105] and: **{Lost are those who slay their children, from folly, without knowledge, and forbid food which Allah has provided for them, inventing (lies) against Allah. They have indeed gone astray and heeded no guidance.}** [Al-An'am 140]

That is fairly a summary of what has already been mentioned in detail in the same Surah, as shown in His saying: **{Out of what Allah has produced in abundance in tithe and in cattle, they assigned Him a share: they say, according to their fancies: "This is for Allah, and this is for our 'partners'! But the share of their "partners" reaches not Allah, whilst the share of Allah reaches their "partners!" Evil (and unjust) is their assignment! Even so, in the eyes of most of the Pagans, their "partners" made alluring the slaughter of their children, in order to lead them to their own destruction, and cause confusion in their religion. If Allah had willed, they would not have done so: but leave alone them and their inventions. And they say that such and such cattle and crops are taboo, and no one should eat of them except those whom - so they say - we wish; further, there are cattle forbidden to yoke or burden, and cattle on which, (at slaughter) the name of Allah is not pronounced, inventions against Allah's name: soon will He requite them for their inventions. They say: "What is in the wombs of such and such cattle is specially reserved (for food) for our men, and forbidden to our women; but if it is stillborn, then all have shares therein. For their (false) attribution (of superstitions to Allah), He will soon punish them: for He is full of wisdom and knowledge.}** [Al-An'am 136-139] All of those are but acts they invented in accordance with their own inclinations and fancies, to serve their desires.

In sum, they slew their children, out of foolishness, without knowledge, and further prohibited what Allah Almighty provided them with, just out of their own opinion, in order to serve their own desires. That is why Allah Almighty described them saying: **{They have indeed gone astray and heeded no guidance.}** [Al-An'am 140]

It is within this context that we should construe His saying, after scolding them for what they made unlawful, given its being made lawful by Allah Almighty: **{say, has He forbidden the two males, or the two females, or (the young) which the wombs of the two females enclose? Were you present when Allah ordered you such a thing? But who does more wrong than one who invents a lie against Allah, to lead astray men without knowledge? For Allah guides not People who do wrong.}** [Al-An'am 144]

The Quranic Verses in which Allah Almighty describes the state of the polytheists in their association of partners with Allah in worship ascribes their

conduct to misguidance and error, for it, in principal, is deviation from the right path. That is because they fixed their deities, as they alleged, to bring them closer to Allah Almighty as stated by Allah in His saying: **{But those who take for protectors others than Allah (say): "We only serve them in order that they may bring us nearer to Allah."}** [Az-Zumar 3] They fixed them, at first, as means thereby to plead Allah, and gradually came to worship them. According to the scholars, they were, in the beginning, statues for some pious men whom they loved and sought their blessing. Then, they were worshipped after them, from whom the Arabs took as objects of worship: that is indeed the evident error and misguidance.⁽¹⁾

Allah Almighty further said: **{They do disbelieve who say: Allah is one of three in a Trinity: for there is no god except One God.}** [Al-Ma'idah 73] they based their allegation concerning the true God on what they considered an evidence in their sight, founded on an imprecise meaning, according to the reports of the biographies, thereupon they were lost from the truth with this malicious allegation, due to their inclination to what is imprecise on the exclusion of what is precise, as told by Allah Almighty in the Holy Verse of Al 'Imran [7].

In confirmation of that, He Almighty said: **{O People of the Book! exceed not in your religion the bounds (of what is proper), trespassing beyond the truth, nor follow the vain desires of people who went wrong in times gone by, who misled many, and strayed (themselves) from the even Way.}** [Al-Ma'idah 77] He refers to the Christians, who went astray concerning Jesus "peace be upon him". For this reason, He said after He had mentioned the witnesses of Jesus' servitude (to Allah Almighty): **{Such (was) Jesus the son of Mary: (it is) a statement of truth, about which they (vainly) dispute.}** [Maryam 34]

After Allah Almighty made a mention of the proofs of monotheism, and

(1) Those were five righteous men who lived after Noah "peace be upon him" as referred by Allah in His saying: {And they have said (to each other): "Abandon not your gods: abandon neither Wadd nor Suwa', neither Yaghuth nor Ya'uq, nor Nasr!"} [Noah 23]

As to Wadd, Suwa, Yaghuth, Ya'uq and Nasr, they were names of righteous men among them, and when they died, Satan revealed to them to hold stone idols in their sitting places, and give them their names, and they did accordingly; and some time later, after those who set them up had died, they took them as gods, which they worshipped in derogation of Allah. In this connection, it is narrated by Al-Bukhari on the authority of Ibn Abbas: All the idols which were worshipped by the people of Noah were worshipped by the Arabs later on. As for the idol Wadd, it was worshipped by the tribe of Kalb at Dawmat Al-Jandal; Suwa was the idol of Muzainah; Yaghuth was the idle of Murad and then (it was worshipped) by Banu Ghutaif (tribes) at Al-Jurf near Saba; Ya'uq was the idol of Hamdan; and Nasr was the idol of Himyar, the branch of Thu'kalah. The names (of the idols) formerly belonged to some pious men of the people of Noah. When they died Satan inspired their people to set up idols at the places where they used to sit, and to call those idols by their names. The people did so, but the idols were not worshipped till those people (who set up them) had died and the origin of the idols had become obscure, whereupon people began worshipping them.

His being Exalted and Hallowed from taking a child, and their dispute in their hideous arguments about this matter, He said: **{but the unjust today are in error manifest!}** [Maryam 38]

On another occasion, Allah Almighty mentioned the hypocrites, and how they deceive Allah and the believers, by sharing them in the religious obligations, even though with laziness, in the hope that this would deliver them, or avail them aught (against the punishment of Allah). But in fact, they deceive their own selves, for they do a thing, thinking it to be in their favor, and behold, it turns against them; and that is indeed the manifest error and the evident misguidance. That is because they are not on guidance from their deed, nor do they follow the right path concerning it. He Almighty said: **{The Hypocrites, they think they are over-reaching Allah but He will over-reach them: when they stand up to prayer, they stand without earnestness, to be seen of men, but little do they hold Allah in remembrance; (They are) distracted in mind even in the midst of it, being (sincerely) for neither one group nor for another. Whom Allah leaves straying, never will you find for him the Way.}** [An-Nisa' 142-143]

Allah further said, on the tongue of the man who came running from the farthest end of the city: **{"Shall I take (other) gods besides Him? If (Allah) Most Gracious should intend some adversity for me, of no use whatever will be their intercession for me, nor can they deliver me. I would indeed, if I were to do so, be in manifest Error."}** [Ya Sin 23-24] That is, "How should I serve those (idols) other than Allah who have no power to avail even in the least, and leave the Lord in Whose Hand is the power to harm and benefit? That is indeed deviation from the right path to the wrong way: I would indeed, if I were to do so, be in manifest Error.}"

There are so many examples in this respect, all of which confirm that the term 'misguidance or error' is, more often, used to describe an issue in which one slips, on the basis of an imprecise matter that occurs to his mind, or in which he imitates another to whom it has previously occurred, thereupon he takes this slip a law and a religious rule to adopt, given the presence of the precise and entirely clear matters on the way.

On the other hand, disbelief goes back, not only to this way (of deviation from the right way on the basis of adopting the imprecise on the exclusion of the imprecise), but also to the rejection of faith after acknowledgement, out of obstinacy and ingratitude. For this reason, Allah Almighty made a mention of both kinds in the conclusion of the comprehensive Surah, saying: **{Show us the straight way, The way of those on whom You have bestowed Your Grace}**, [in reference to the greatest proof on which the Prophets and Messengers "peace be upon them" based their arguments in calling their peoples] **{those whose (portion) is not wrath, and who go not astray.}** [Al-Fatihah 6-7]

As to those whose portion is not wrath, they are the Jews, for they

rejected faith (in Islam) after their certain knowledge of the Prophethood of the Messenger Muhammad “peace be upon him”. In confirmation of that, He Almighty says: **{Those to whom We have given the Book know this as they know their own sons. Those who have lost their own souls refuse therefore to believe.}** [Al-An‘am 20] of course, He means the Jews.

As for those who go astray, they are the Christians, because they have strayed in their argument concerning Jesus “peace be upon him”. That is the opinion of the majority of the commentators, and it is reported from The Messenger of Allah “peace be upon him”.⁽¹⁾

Joined to them in going astray are the polytheists, who associate partners with Allah Almighty in worship, as indicated clearly in the Qur'an, His saying: **{and not those who go astray}** includes them and anyone like them in this respect, who strayed from the right path.

It is not unlikely to say that included in the strayer are anyone deviating from the right path, whether or not belonging to this (Muslim) ummah. Many Quranic Verses already mentioned in this book confirm this assumption. His statement: **{and follow not (other) paths, for they will separate you away from His Path}** [Al-An‘am 153] is common to every strayer, whose misguidance goes back to polytheism, hypocrisy, or belonging to the different sects (other than those of Sunnah and established community), attributed to Islam. That is fit to enumerate the strayers, as it should be for the Opening of the Book, the seven oft-repeated Verses, and the Grand Qur'an revealed on Muhammad “peace be upon him”.

It seemed we have left our main topic, to some extent. But anyway, what we have discussed supports it.

(1) It is narrated on the authority of ‘Adi Ibn Hatim that he said: The Messenger of Allah “peace be upon him” said: “No doubt, the people whose portion is wrath are the Jews, and those who go astray are the Christians.” [Ahmad and At-Tirmithi, who describes it as a good strange Hadith] It is also narrated on the authority of ‘Abdullah Ibn Shaiq from him who heard it from the Messenger of Allah “peace be upon him” when he was asked by a man from the sons of Al-Qain while being on his horse in the valley of Al-Qura: “O Messenger of Allah! What are those?” he said: “It is those, whose portion is wrath (and he pointed to the Jews), and those who go astray are the Christians.” [‘Abd Ar-Razzaq in his Musannaf. But it is Mursal, since the Sahabi is not mentioned] see Tafsir Ibn Kathir, 1:27.

3. CONDEMNATION IS COMMON TO ALL RELIGIOUS INNOVATIONS, AND CHANGES MADE IN RELIGION

This includes some of the malicious allegations with which the religious innovators supported their arguments.

It should be known to you, may Allah bestow mercy upon you, that all witnesses which have been already mentioned provide a clear proof for the fact that the condemnation is general and common to all religious innovations. This goes back to the following reasons:

First: as many as they might be, they all are absolute and unrestricted, without exclusion. Nothing of them stated that such and such a religious innovation is a guidance, or that every religious innovation is an error except so and so. Had there been a religious innovation, regarded nice or permissible by Shari'ah, surely, it would have been mentioned in a Quranic Verse or a Prophet Hadith. This means then that those evidences are among the universals that leave no exception for any of its objects.

Second: it has been well-established, in the fundamentals of science, that if any universal rule or Shari'ah-accepted evidence, that recurs many times, and is quoted as a proof for some issues, and is not accompanied by restriction or specification, it is a proof that it should abide as general, as required by its context, like, for example, the statement of Allah: **{Namely, that no bearer of burdens can bear the burden of another; That man can have nothing but what he strives for.}** [An-Najm 38-39] similarly, it is reported in many Hadiths that were given on different occasions, that "Every religious innovation is an error, and that everything invented in religion is a religious innovation."

Many are the like of those statements and expressions which confirm that all religious innovations are blameworthy. There is no restriction, nor specification, nor connotation giving the impression that they are not universal in this respect. This is a clear evidence that those are as general and absolute as they are intended.

Third: there is consensus, among the righteous predecessors of Sahabah, Tabi'is, and those who succeeded them, to condemn, deface and shun the religious innovations, and keep aloof from their perpetrators. They gave neither exclusion nor exception in this issue. From the deductive point of view, it is a well-established consensus. This is a clear indication that every religious innovation is wrong rather than right.

Fourth: the religious innovator himself is blameworthy, since he behaves in opposition to the Divine law and the lawgiver (Allah and His Messenger). Anything like this could be divided into what is good and praiseworthy and what is bad and blameworthy. Therefore, it is not valid, whether in reasoning or transmitted text, to consider it proper to contend the lawgiver, as has already been explicated in the beginning of the second section.

Furthermore, it is unimagined to assume that there is any religious innovation depreciated in a transmitted text. That is because a religious innovation is intended to imitate the Shari'ah- validated way, even though it is not so. That the lawgiver appreciates it is a proof for its being valid under Shari'ah. For example, if the lawgiver states that such and such a religious innovation is good, it then will become permissible, as referred to in the principle of appreciation, as we shall see later, Allah willing.

As well as the religious innovation is blameworthy, its perpetrator also should be blameworthy, for it is he who has invented it. He is so because he is a sinner. The religious innovator then should be condemned as being sinful in general. That is attested by four evidences:

The first is that if the textual proofs address them explicitly, it will be apparently clear. Take, for example, Allah's saying: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An'am 159] He further said: **{be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs: for them is a dreadful Penalty.}** [Al 'Imran 105]

A mention also may be made of the Hadith narrated on many occasions and in different ways, in which The Messenger of Allah "peace be upon him" said: "Some men will be driven away from my Lake-Fount just as a straying camel is driven away..." to the end of the Hadith.

If the textual proof addresses the religious innovation itself, it then will return upon the religious innovator accordingly, a fact in which there is no ambiguity. Of course it is caused by their being sinners.

The second is that the Shari'ah confirms that the inclination is the first thing they follow in their religious innovations, and drive the Shari'ah proofs in accordance with it. That is why they interpret any evidence which disagrees with their inclination, and follow every malicious allegation which agrees with their desires. Consider Allah's saying: **{so as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings).}** [Al 'Imran 7]

He affirmed to them the deviation from the truth, and then the following of what is imprecise which differs from what is precise and entirely clear in meaning, that represents the mother of the book, and the greater part of it. Although the imprecise is very little in the Book, they focus their attention on, and follow it even though it gives no precise and clear meaning, just in search for its interpretation (according to their desires), or its hidden meaning, which no one knows but Allah Almighty. These well-established in knowledge reduce it to the precise and entirely clear in meaning. That is not the conduct of the religious innovators, whose first and main concern is to follow their inclinations, in their pursuit of the laws of the ordinance, by witness of Allah.

Allah Almighty also said: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An'am 159] He attributed to them, first of all, the division of their religion. Had such division been based on a Shari'ah evidence, of a surety, He would not have attributed it to them, nor mentioned it in the context of condemning them. But it is based on following their own inclination.

He further said: **{and follow not (other) paths, for they will separate you away from His Path.}** [Al-An'am 153] He made the path of truth very clear and straight, distinct from the crooked paths. Thus, whoever does not follow the path of the truth will have followed his own inclination rather than the Divine law.

He further said: **{be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs: for them is a dreadful Penalty.}** [Al 'Imran 105] It indicates that the clear satisfactory signs had really come to them, which means that the division and disputation took place by virtue of the people themselves not on the basis of an evidence. It is they who did it, in the course of following their inclination.

Many are the proofs which indicate, explicitly or implicitly, that every religious innovator follows his own inclination; and if he follows his inclination, he will be blameworthy and sinful, as stated many times.

Allah Almighty says, for example: **{and who is more astray than one who follows his own lusts, devoid of guidance from Allah? For Allah guides not people given to wrong-doing.}** [Al-Qasas 50] He also said: **{nor follow you the lusts (of your heart), for they will mislead you from the Path of Allah: for those who wander astray from the Path of Allah, is a Penalty Grievous, for that they forget the Day of Account.}** [Sad 26] He said too: **{nor obey any whose heart We have permitted to neglect the remembrance of Us, one who follows his own desires, whose case has gone beyond all bounds.}** [Al-Kahf 28] There are so many quotations like

this. The point is that every religious innovation is a blameworthy sinner.

The third is that the religious innovators, in general, adopt the claim of reason-based appreciation or depreciation. That is their fundamental principle on which they establish the law. It is given priority in their doctrine in such a way as makes them deem the reason far beyond doubt, whereas question the evidences themselves if they disagree with them outwardly, to the extent that they may reject a lot of Shari'ah-based evidences.

indisputably learnt, it is not that all things appreciated by the mind should be true. For this reason, they may set a doctrine at present, in order to retract from it on the coming day, and establish a third one two days later, and so on. Had everything appreciated by the mind been true, the mind would have been sufficient alone to reform the people's living in this world, and place of return in the hereafter, and it would have been of no advantage to send the Messengers and Prophets "peace be upon them", and the Divine message would have been pointless and meaningless. But even, that is false, and what ensues from it is false too.

You see that they give priority to their inclinations over the law. That is why they are called in the Qur'an and the Hadith the men of inclinations, for their minds are subject to their lusts and desires. Somebody may be named with the very thing to which he is ascribed, which, across time, turn into a title for him.

The fourth is that every one endowed with and well-established in knowledge, never innovates anything in the religion. It is only the one who is not established in knowledge who always makes such innovations, as stated by the Prophetic Hadith, which we shall discuss later, by Allah's Power and Strength. The people always are taken aback by the ignorant among them, whom they thought to be learned. Being so, it is forbidden to anyone to strive in religion depending upon his personal reasoning, unless he perfects all conditions and requirements of Ijtihad. There is no difference, in regard with investigation of evidences and deduction of proofs, between the laymen and the learned who has not yet completed all things in his specialty or area of knowledge. If he commits anything forbidden, as a result of his Ijtihad, he will be sinful, with no restriction.

With this point, his being sinful and stray on the one hand, and his being different, as a religious innovator, from the mistaken Mujtahid (who strives in religion depending upon his personal reasoning, and commits an unintentional mistake), on the other hand become apparent. This issue will be explained in a simpler way later, Allah willing.

In sum, it seems obvious, from what has already been mentioned above, that every religious innovator is sinful; and his sin is aggravated when he acts upon his religious innovator, esp. in case it is unfavorable, and its

unfavorableness is proven by evidence. That is because every religious innovator either deduces it, in which case, his deduction, as mentioned, is impermissible at all, or represents the primal innovator and dedicates himself in defense of him in it as much as lies within his capacity. In this meaning, he is equal to the first one who deduces it. Anyway, he is sinful.

But there remains some terminological confusion about the religious innovator. In some cases, and by way of indulgence, one is called a religious innovator, even though he is not so, and vice versa. For this reason, this topic needs more careful study in order to be more obvious, by Allah's power and might; and success lies with Allah Almighty. That will be our talk in the next chapter.

1.3. The Religious Innovator Between Ijtihad And Imitation

The religious innovator either depends on his personal reasoning, or imitates anyone else in his religious innovation. The imitator either imitates with acknowledgement of the evidence claimed by the Mujtahid, or imitates, giving no care to that evidence, in which case he is like the blind imitator. We have, by that consideration, three divisions:

The first division represents the Mujtahid who depends on his personal reasoning; and this is of two kinds:

The first is the one who is qualified for Ijtihad, and his personal reasoning is valid. Any innovation in religion on his part comes only by chance rather than on purpose, and accidentally rather than deliberately. It is called a mistake or a slip for its perpetrator does not intend to follow the imprecise apart from the precise in meaning, thereby seeking temptation and looking for its interpretation, in pursuit of the hidden meanings of the Book. In other words, he neither follows his inclination, nor makes it the fundamental principle upon which he establishes his religious innovation. The evidence for this is that if the truth appears to him, he soon submits to it, and acknowledges it immediately.

A typical example for such kind is that of ‘Awn Ibn ‘Abdullah Ibn ‘Utbah Ibn Mas‘ud⁽¹⁾, who first adopted the doctrine of the Murji'ah⁽²⁾, and when the truth appeared to him, he retracted and said: "The first thing I leave, without doubt, is the opinion of the Murji'ah."

It is narrated by Muslim on the authority of Yazid Ibn Suhaib Al-Faqir⁽³⁾ that he said: "I admired a certain opinion adopted by the Khawarij (i.e. those who commit major sins are doomed to abide in the fire of Hell forever). We set out in a large group with the intention to perform Hajj and then go to the people (for proclaiming the opinions of the Khawarij).

We passed by Medina where we found Jabir Ibn ‘Abdullah⁽⁴⁾ "Allah be pleased with him" sitting beside a pillar, relating to the people (some narrations) from the Prophet "peace be upon him". When he mentioned the dwellers of Hell⁽⁵⁾, I said: "O Companion of The Messenger of Allah! what is that which you are narrating, and Allah says: **{Our Lord! any whom You**

(1) Tahthib At-Tahthib, 8:171; Siyar A‘lam An-Nubala’, 5:103.

(2) Those who think that it is enough for a Muslim to believe in the Islamic creed without performing acts of worship, and no matter how much he sins he will still enter Paradise and will never be punished.

(3) Siyar A‘lam An-Nubala’, 5:227; Tahthib At-Tahthib, 11:338.

(4) Siyar Aam An-Nubala’, 3:189; Al-Jarh Wat-Ta‘dil, 2:492.

(5) Al-Bukhari, Hadith no. 6558-60, 6566.

admit to fire, truly You cover with shame, and never will wrongdoers find any helpers} [Al 'Imran 192] and: **{As to those who are rebellious and wicked, their abode will be the Fire: every time they wish to get away therefrom, they will be forced there into, and it will be said to them: "Taste the Penalty of the Fire, which you were wont to reject as false."}** [As-Sajdah 20] So what is that which you are saying?"

He said: "Do you read (and keep by heart) The Holy Qur'an?" I answered in the affirmative. He said: "Have you heard about the station of Muhammad "peace be upon him", to which Allah would raise him?" I answered in the affirmative. He said: "Indeed, it is the exalted station of praise, given to Muhammad "peace be upon him", and it is that, by which Allah would take out (of fire) whomever He wills to take out."

He then described the Sirat (the Bridge to be held over Hell) and how the people would cross it. He (the sub-narrator) said: "I am afraid that I could not remember that (i.e. what Jabir said concerning the Sirat), but he (Jabir) pretended that people would come out of the Hell after having gone into it, and he said: "They would come out of it as if they were the wood of the ebony tree. They would enter one of the rivers of Paradise, so as to take bath in it, and then come out as if they were (as white as) paper."

We then returned and said: "Woe to you! How can this old man tell a lie about The Messenger of Allah "peace be upon him"?" We retracted (from such opinions adopted by the Khawarij). By Allah! All of us abandoned this (pact of Khawarij) except for one man."⁽¹⁾

This Yazid is one of the reliable Hadith narrators, according to Ibn Ma'een⁽²⁾ and Abu Zur'ah⁽³⁾. He is truthful as stated by Ibn Abu Hatim⁽⁴⁾. Furthermore, he is one of the narrators of Al-Bukhari and Muslim.

A mention also may be made of 'Ubaidullah Ibn Al-Hasan Al-Ambari⁽⁵⁾, who was one of the reliable narrators of Hadith, and the great scholars endued with knowledge of the Sunnah. But he was accused of invention in religion, because of an odious opinion that was related from him, according to which the Mujtahid who belongs even to any religion other than Islam is on the right (as long as he depends on his personal reasoning to get the truth). He was rendered a disbeliever by Al-Qadi Abu Bakr⁽⁶⁾ and others. It is narrated from him that he used to claim that the Qur'an indicates difference in the matter of fate. Both fatalists and Anti-Fatalists are right in their contrasting opinions, since they have reference in the Book. That is because, in his view, a Quranic Holy Verse may indicate to both.

(1) Sahih Muslim, revised by Muhammad Fu'ad 'Abd-Al-Baqi, Hadith no. 320[191].

(2) Siyar A'lam An-Nubala', 11:70; Tahthib At-Tahthib, 11:280-288.

(3) Siyar A'lam An-Nubala', 1:328; Tahthib At-Tahthib, 7:30.

(4) Siyar A'lam An-Nubala', 13:247; Shatharat Ath-Thahab, 2:171.

(5) Tahthib At-Tahthib, 7:7; At-Taqrīb, 1:630.

(6) Al-Bidayah Wan-Nihayah, 12:228; Shatharat Ath-Thahab, 4:141.

One day, he was asked about both Anti-Fatalists and Fatalists, and he said: "Both of them are on the right: a part of them exalted Allah, and the other party deemed Him far beyond the worldly affairs."

The same is true of the names: whoever calls the adulterer a believer is on the right, and whoever calls the adulterer a disbeliever is also on the right, and whoever describes him as a wicked, neither a believer nor a disbeliever is on the right, and whoever calls him a disbeliever, rather than a polytheist is on the right. That is because the different Verses of the Holy Qur'an are apt to all those meanings."

This applies also to the acts of Sunnah, such as drawing lots to choose which of things to do, or its opposite, killing a believer for his killing a disbeliever, or its opposite: and if a jurisprudent adopts any of them, he will be right. Similarly, if one says that the murderer will be admitted to the fire of Hell, he will be right; and if he says that he will be admitted to Paradise, he also will be right; and if he says that the ruling pertinent to him is deferred until the hereafter, he will be right too, provided that he believes that his duty is only to worship Allah, and it is not incumbent upon him to have knowledge of the unseen.

Ibn Abu Khuthaim⁽¹⁾ said: I was told by Ibn Abu Shaykh that 'Ubaidullah Ibn Al-Hasan Al-'Ambari was accused of something very odious, and very bad statements were attributed to him. According to a later scholar, it is narrated that 'Ubaidullah Ibn Al-Hasan retracted from those bad things mentioned by Ibn Abu Shaykh, soon when the truth appeared to him. He said: "Let me retract in willing submission; and to be a tail in the truth is better to me than to be a head in falsehood."⁽²⁾

If what is attributed to him is proven, it then is no more than a slip of a scholar, from which he retracted just like a virtuous one does when the truth appears to him, that is because he followed the apparent Shari'ah evidences in what he adopted rather than his own mind and inclination, nor did he clash with the Divine law by his own opinion. He then was closer to behave in opposition to his inclination. It is in this way, and Allah knows best, that he was able to revert to the truth.

This situation is unlike that of the Khawarij: when 'Abdullah Ibn 'Abbas "Allah be pleased with them" debated with them, and asked them for a proof to support their argument, they said: "Do not argue with him. He belongs to those in connection with whom Allah Almighty says: **{yea, they are a contentious people.}** [Az-Zukhruf 58] Thus, they gave preponderance to the imprecise and unclear over the precise and entirely clear, thereby opposed the

(1) Siyar A'lam An-Nubala', 11:492; Shatharat Ath-Thahab, 2:174.

(2) Tahthib At-Tahthib, 7:8.

majority of people.

But if such a religious innovator is judged, by scientific measure, to be unqualified for Ijtihad, i.e. he belongs to the second kind, he then is more ready to deduce evidences in opposition to the Divine law, that is because he combines the ignorance of the rules and principles of Shari'ah, with the inclination which motivates him to do so, i.e. to be followed by others. That is, he may become an Imam and a celebrity who has followers and fans, in which the soul always takes pleasure. For this reason, it becomes difficult upon the soul to abandon the love for leadership. To this refer the Sufis in their statement that "The love for leadership is the last thing to come out of the hearts of the sincere affirmers of truth." Then, what should it be if it is added to this an inclination, in principal, and a proof which he thought to be a Shari'ah-based for the validity of his doctrine? Of course, this would possess his heart just in the same way as hydrophobia circulates in the blood of an afflicted person, as narrated in the Hadith about the sects (of Muslims other than that of Sunnah). This type of man is sinful by his religious innovation, just as the one who lays the foundation of a bad act in Islam.

A typical example for this is that the Imamate fans from among the Shiites have a caliph, other than The Messenger of Allah "peace be upon him", although alleged to be as infallible as him, on the basis of an illusory principle, that the Shari'ah is short of explaining all the obligations due upon these competent for religious assignments, either orally or in written. They in fact have no proof, either by reasoning or transmitted text. They have nothing other than an allegedly reasoning-based malicious allegation, and a fabricated transmitted text, false in principle, cause and claim. However, their claims are refuted in the books of the different Imams. All they have are but claims which are groundless; and if they are asked to give proof for them, they would be perplexed.

The strongest of their malicious allegations is the claim that the ummah is in dispute, and there should be only one man in order for this differences and disputes to be eliminated entirely. They attest their argument by Allah's statement: **{but they will not cease to dispute, except those on whom your Lord has bestowed His Mercy.}** [Hud 118-119] No one could have the power to do so unless he is given the infallibility previously granted to The Messenger of Allah "peace be upon him", on the basis of the fact that he is his heir, otherwise, anyone, be he on the right or on the false, will claim that he is among those upon whom Allah's mercy has been bestowed, and that he alone has attained the truth in which there is no dispute. But even, if they are requested to provide evidence for such infallibility, they give nothing at all, other than the claim that they have an opinion which they do not disclose but to the private among them. That is indeed mere disbelief and unfounded claim without evidence.

Ibn Al-‘Arabi said in his book “Al-‘Awasim”: “I came out of my homeland and I was still not established in knowledge. I met no one of the deviants until I saw those of the Shi‘ite sect, i.e. the Imamate fans and Batinites. That was the first innovation I have ever seen. If I was surprised by the religious innovation of the creation (of the Qur‘an) or the negation of the attributes (of Allah), I would not feel safe from the plots of Satan. When I saw their follies, I stayed on vigilance, and frequented men of sound beliefs and true creeds, and spent eight months among them. Then, I came out to Sham, and entered Jerusalem, where I found twenty-eight circles of study along with two schools: one for the Shafi‘i scholars in Bab Al-Asbat, and the other for the Hanafi scholars. They had lots of the heads of religious innovators, Jewish rabbis and Christian bishops. I learnt knowledge, and was able to debate every sect, in the presence of our Shaykh Abu Bakr Al-Fihri and others from among those of Sunnah and established community.

Then, I went to the Palestinian coast for some purposes, and it had a plenty of men belonging to those Batinites and Imamate fans. I spent about five months visiting its different cities, until, in the end, I reached Acre, where the head of the Imamate fans was Abu Al-Fath Al-‘Akki. There was a Shaykh belonging to the men of Sunnah called Al-Faqih Ad-Daibaqi. I attended the gathering of Abu Al-Fath and I was still twenty years old. When he saw me still very young, though of extensive knowledge and skill in discussion, he admired me so much – and here I should attribute the favor to its men, even though they are on the false – and did not leave me, and rather used to argue with me, but without dispute. I then came to embrace the Imamate doctrine and the opinion of the infallibility.

Among what they say is that Allah Almighty has mysteries and judgments concerning His servants, which no mind could ever perceive independently without learning them from an infallible Imam. I asked them: “Did this Imam commanded to report from Allah Almighty die or would he survive eternally?” they said: “He died.” I further asked: “Did anyone succeed him?” they said: “His trusty ‘Ali succeeded him.” I asked: “Did he judge with the truth and was able to carry it out?” they said: “He failed to do so because the opposing contenders were prevailing.” I asked: “Then, did he carry it out when he had power to do so?” they said: “He continued to live in precaution (of his enemies), until death. But it was sometimes strong and sometimes weak. So, he was forced to conceal his intentions, in order not to lose balance.” I asked: “Is this concealment true or false?” They said: “It is false made permissible by necessity.” I said: “Then, where is the infallibility?” they said: “We mean the infallibility in the presence of power.” I asked: “As for those who came after him until now: have they found the power to do so?” they answered in the negative. I said: “This means that the religion then is neglected, and the truth is lost and idle.” They said: “Surely, it will inevitably appear.” I asked: “At the hand of whom?” they said: “At the hand of the expected Imam.” I said: “It

may be Ad-Dajjal.” There was no one in the gathering but that he laughed. I interrupted the speech intentionally, for fear I would silence them, with the result that they would take revenge on me in their own city.

Then I said: “Moreover, the most amazing thing in this argument is that if the Imam entrusts to anyone to succeed him, who has no power, then, he will have lost (the matter). Then, where is the infallibility? More amazing is, according to their opinion, that although Allah Almighty knows that His teachings will not be given to the people without a tutor whom He sends as powerless and unable to convey His message, then, He seems to have neither sent nor taught His message. That is indeed, failure and injustice, esp. in their doctrine.

They then had no proof therewith to refute my argument. The matter became in circulation among the people. Then, the chief of the Batinites, called the Isma‘eelis, was of the opinion that he should gather with me. Abu Al-Fath came to me in the gathering of Ad-Daibaqi, and said to me: “The chief of the Isma‘eelis liked to meet you.” I said: “I am busy now.” He said: “Here is a place arranged for that meeting, in the mosque of Mahrās Palace, near the sea.” He forced pressure upon me, and I stood with him, and entered the palace, and ascended the stairs to find them having gathered in the East corner of the palace, with the signs of disapproval visible in their faces. I greeted them and went directly to the praying place, and performed a two-rak‘ahs prayer, in which I did nothing other than thinking about how to argue with, and the way of salvation from them. By Allah Who doomed me to relate to you this talk, I did not expect to come out safely from that gathering. I looked at the sea and saw black stones being pitched up in its earth, and said (to myself): “This is my grave in which they will bury me.”

That was the fourth calamity along my lifetime, from which Allah Almighty rescued me. When I concluded the prayer with Taslim, I faced them and, having gathered my courage, asked them about their states. I said to myself: “That is the noblest death, in the noblest situation, when I die in defense of the religion.” Abu Al-Fath point out a good-looking man and said to me: “This is the chief and the first man of the sect.” I was invited to him, and I kept silent. Then he was the first to speak, and said to me: “I have been informed about your gatherings, and the news of your speech has reached me. You say that Allah says and does: Who is this Allah Whom you invoke? Tell me with which thing have you dared to transgress against this weak sect?” but before I could answer, I was snatched away by his companions. By Allah’s success, I aimed at my mental quiver, from which I took out an arrow, and directed it to his heart, thereupon he kept motionless.

It is narrated that Imam Abu Bakr Ahmad Ibn Ibrahim Al-Isma‘eli Al-

Hafizh Al-Jirjani⁽¹⁾ said: "I disliked the scholastic theology most from among the people. One day, I visited the city of Rayy, and entered its mosque and faced its pillar to offer the prayer, and behold! There were two men remembering the scholastic theology, thereupon I had an evil omen of them and said: "Is it that the first thing I have seen in this city after I entered is what I dislike?" I then made short my prayer in order to move far from them as soon as I could. But of their speech, my memory picked up the following: "No doubt, the Batinites have the silliest minds from among the creatures of Allah. Any intelligent should not lay upon himself the difficulty of bringing evidence in reply to them. But he rather should ask them to give reason for their arguments, a thing which they have no power to do." I then ended the prayer with Taslim as soon as I could.

It was then Allah's will, afterwards, that a man belonging to the Isma'eelis uncovered the veil of atheism and sent a message to Washmakir, the emir saying: "I do not accept the religion of Muhammad without a miracle. If you disclose it to us, we then will revert to you." They chose from them a sneaky clear-headed man and delegated him to the emir, and when he entered upon him he said: "You are an emir; and it is the duty of emirs and kings to be independent in their knowledge, and imitate no one in their beliefs and creeds. It is due on them just o disclose the proofs." Washmakir said: "Let me choose a man from the people of my kingdom, to debate you on my behalf, in my presence." The atheist courier said to him: "Then, choose Abu Bakr Al-Isma'eeli." He knew well that he was not one of the scholars of Tawhid, but rather a Hadith scholar. But, since Washmakir had the impression that he was the most knowledgeable, from among the inhabitants of the earth, of all sciences, he said: "That is my intention. He is a good man." Washmakir then sent to Abu Bakr Al-Isma'eeli in Jirjan, inviting him to come to Ghaznah. There was no one among the scholars there, who despaired of the religion, but that he said: "The Isma'eeli will confound the disbeliever." No one dared to tell the truth, i.e. that he had no knowledge, lest he would have doubt in them. They rather took resort to Allah Almighty to support His religion.

Al-Isma'eeli resumed: "When I received the courier of the emir and I set out on journey to Ghaznah, I said to myself: "We all belong to Allah! How should I debate in a thing of which I have no knowledge? Should I free myself from that obligation before the king, and guide him to one who could do this job with competence?" I regretted for my past life in which I did not study anything of scholastic theology. Then, Allah Almighty caused me to remember the speech of both men which I heard in the mosque of Ray, thereupon I became stronger, and decided to make it the foundation to rely on in my argumentation.

(1) Siyar A'lam An-Nubala', 16:292; Al-Bidayah Wan-Nihayah, 11:298.

Then, I arrived in the town, and was received with welcome by the emir and the people there. The Isma'eeli came; and the emir said to the Batinite: "Mention your argument, so that the Imam should listen to it." When he finished from his argument, Al-Hafizh asked him: "What is the reason?" when the atheist heard it, he said: "This is an Imam who knows well my argument." In this way, he was silenced.

Al-Isma'eeli commented: "From this time on, I came out of this gathering, and started to study the scholastic theology, seeing it one of the fundamentals of Islam."

Ibn Al-'Arabi resumed: "When I came to such a state, I said (to myself): 'If I am doomed to live more, this day is like that of Al-Isma'eeli.'" Then I said to Abu Al-Fath: "I was nothing. Were I to leave Acre before meeting this learned man, I would have preferred to leave naked and barefooted. Consider his skill in speech and capability of argument. He asked me: 'Which thing is Allah?' no one like him could dare to ask such a question. Let me clarify a fine point here. Why have you asked with 'which' apart from all interrogatives? That is because 'which' has a double meaning in interrogation. Then, which of both have you meant? Why have you used an article open to two probabilities rather than an article of one decisive meaning? Have you really meant this or made it by chance without knowledge? Which wisdom does lie behind it? Then, clarify it to us."

While I was saying those words, he turned pale out of terror after he was black, out of resentment. One of his companions who was on his right returned to another standing beside him and said: "What is this youth? He is but like an ocean filled with knowledge. We have never seen anyone like him." They never saw anyone like this but that they ruined him, for the authority was at their hands; and had it not been for our position from the governor of Damascus and the viceroy of Acre, I would never have got rid of them. When I heard them exalting me as such, I said: "It is a great gathering, and the speech is very long and it needs explication in details. So, let us promise to have another appointment." I stood and came out, and all of them stood along with me and said: "You should remain a little." I said: "No." I hurried barefooted and came out of the door running until I reached the main road, where I stood, giving myself the glad tidings of life until they came out after me. They brought out my sandals which I put on and walked with them engaged in laughter. They asked me to give them a promise of another session, but I did not give it to them."

He resumed: "Our companions in the Farthest Mosque told me that Shaykh Abu Al-Fath: Nasr Ibn Ibrahim Al-Maqdisi⁽¹⁾ met a leader of the

(1) Siyar A'lam An-Nubala', 19:136; Shatharat Ath-Thahab, 3:395.

Imamate fans, and the latter complained to him about the mischief of the people, and that this matter (of religion) will not become upright unless the expected Imam should come out. Nasr asked him: "Is there a certain time of his appearance?" he answered in the affirmative. He asked: "It is known or unknown?" he said: "It is known." Nasr asked: "Then, when will it be?" he said: "When the people will become mischievous. All of them have become mischievous, save you: so, if you become mischievous like them, the expected Imam will come out. So, hasten, and release him from his prison, and soon revert to our doctrine." He was confounded. I thought he heard it from his Shaykh Abu Al-Fath: Sulaiman Ibn Ayyub Ar-Razi Az-Zahid⁽¹⁾.

That is the end of his speech; and it clearly represents the principles of those religious innovators, which will be mentioned in more detail across the different parts of this book.

The second division is also of different kinds. It addresses the one who does not deduce by himself in so much as follows others who deduce such things. But he acknowledges the malicious allegation which he validates, and becomes one of its advocates, like the one whom he follows. He indeed is like the former, although less in degree. But the love for the doctrine prevails over his heart so much that he would hold his allies and enemies on the basis of it.

This person has no proof other than his good assumption of the originator of the religious innovation. Although he believes that he has no power to investigate the malicious allegation or bring evidence for it by himself, his belief in it stems from his confidence of its originator.

The former represents the one who originates the malicious allegation and invites others to it, and once he is required to prove it from the perspective of Shari'ah, he ceases to do so, or, at best, brings things beyond reason. The latter has nothing but the good assumption of the originator of the religious innovation, whom he follows, with no evidence he has other than this. This is common among the laymen in particular.

The example of the former is like that of Hamdan Ibn Qarmat, to whom the Qaramitah is attributed. He was a Batinite advocate, and a group of people responded to his invitation, and were ascribed to him. He, at first, was one of the inhabitants of Kufah, inclined to abstinence. He met one of the Batinite advocates who was going to his village, and Hamdan had some cows he was driving.

Ignorant of his state, Hamdan said to him: "I see that you have come from a far distance. Where are you going?" he made a mention to a certain village, which was Hamdan's. Hamdan said to him: "Ride one of those cows so

(1) Siyar A'lam An-Nubala', 17:645; Shatharat Ath-Thahab, 3:276.

that it would relieve you of the trouble of walk.” When he saw him inclined to religiousness, he came to him from this point. He said to him: “No doubt, I do not believe, but am commanded to believe.” He said to him: “You seem then to do nothing without a command.” He answered in the affirmative. Hamdan asked him: “By whose command do you do?” he said: “By command of the master of you and me, and to Whom do the world and the hereafter belong.” He said: “That is the Lord of the worlds.” He said: “You have told the truth. But He grants His dominion to whomever He wills.”

Hamdan asked: “Then, what do you like from the place where you are going?” he said: “I have been commanded to invite its people to come out from ignorance to knowledge, from error to guidance, and from wretchedness to happiness; to rescue them from the distresses of humiliation and destitution; and to give them what causes them to do with toiling and suffering.” Hamdan said to him: “Then, rescue me, may Allah rescue you, and flow over me such of deed as to bring life to me: how dire is my need for what you have mentioned!”

he said: “I have been commanded not to disclose the well-preserved mystery to anyone before I have confidence of and take pledge from him.” He said: “Take from me the pledge, and I would ather to it.” He said: “It is to give me and the Imam the pledge of Allah Almighty, on yourself, not to disclose the secret of the Imam I am going to reveal to you, and also my secret.” Hamdan then abided by his pledge. Then, the advocate went on teaching him the sides of his ignorance, and thus drew him, by degrees, and misled him. He responded to him in all his claims, and became one of the principal advocates to this religious innovation, and his followers were called the Qaramitah.

The other example is represented in the statement of Allah Almighty: **{When it is said to them: "Come to what Allah has revealed; come to the Messenger": they say: "Enough for us are the ways we found our fathers following." What! even though their fathers were void of knowledge and guidance?}** [Al-Ma'idah 104] and: **{He said: "Do they listen to you when you call (on them), "Or do you good or harm?" They said: "Nay, but we found our fathers doing thus (what we do)."} [Ash-Shu'ara' 72-74]**

It is narrated by Al-Mas'udi⁽¹⁾ that in the farthest end of Upper Egypt, there was one belonging to the Copts, recognized for his religiousness and knowledge of Christianity. His news reached Ahmad Ibn Tulun⁽²⁾, and he invited him, and asked him about many things. One of those was that he summoned him to his gathering, where he had brought some learned men to

(1) Siyar A'lam An-Nubala', 15:569; Shatharat Ath-Thahab, 2:371.

(2) Al-Bidayah Wan-Nihayah, 11:45; Tarikh At-Tabari, 9:336.

ask him about the evidence for the validity of his religion.

When they asked him, he said: “My evidence for its validity is that although I see it contradictory and inconsistent, averted by minds and hated by souls, due to its incongruity and inconsistency, and lack of argument, proof or even evidence, from reason and sense, to strengthen, support or validate it, when put to meditation or contemplation, a lot of nations, and great kings of extensive knowledge, good policy and rationality, submitted to it, and had faith in it, given its mental contradiction as I have mentioned. Then, I came to know that they neither accepted nor believed in it but because of proofs they had witnessed, and signs and miracles they had seen with their own eyes, which led them to submit to it, and have faith in it.”

The asker further asked him: “Then, what is the contradiction which lies in it? Is it perceivable in it?” he said: “It lies in many things, including their argument that the trinity represents one and the one the trinity; their description of the hypostasis and the Divine person, which form the trinity, and whether or not the Divine persons, in themselves, have power and knowledge; and their talk about the union of the eternal Divinity with the newly created humanity, and the story of his birth, crucifixion and killing: is there anything more hideous and revolting than a Divine who was crucified and killed, on whose face the people spat, and on whose head the crown of thorns was placed, and whose head was struck with the staff, whose feet were screwed, whose flanks were poked with spears and wood edged pieces, and when he asked for water, vinegar was given to him instead?” they then ceased to resume debate with him, for he showed them how contradictory and invalid his doctrine was.

The evidence here is the groundless reliance on misters and fathers, with no supportive proof or evidence.

The third division is also of different kinds. It includes the one who imitates another indiscreetly. The imitated person may or may not be the most entitled and the fittest for imitation. If there is a model worthy of imitation, whom the imitator leaves and rather imitates another one (less in rank), he will be sinful, since he has not imitated the one worthier of imitation, and accepted the worse deal. He indeed is inexcusable, since he imitates in the religion the one who has no knowledge of the religion. In this way, he acts upon the religion innovation, thinking himself to be on the straight path.

That is the state of the disbelievers among whom The Messenger of Allah “peace be upon him” was sent: they left their true religion, and reverted to the false of their forefathers, with no insightful consideration or scrutinizing reflection to know the difference between both ways. Their minds were covered up by inclination, which blinded them from seeing the right way. That is the attribute of the men of this division. They, more often, take their allies

and enemies on the basis of their imitation.

In this connection, it is narrated by Al-Baghawi on the authority of Abu At-Tufail Al-Kinani that a man had a child born for him during the era of The Messenger of Allah “peace be upon him” whom he brought to the Prophet “peace be upon him”, and the Prophet “peace be upon him” passed his hand over his forehead and invoked blessing upon him. A hair grew in his forehead as if it were a horse’s forelock. The boy then grew up, and when it was the time of the Khawarij, he responded to their invitation, thereupon the hair fell from his forehead. His father took and fastened him and detained him in the house, for fear he would join them. We entered upon him to instruct him. We said: “Have you not seen the blessing of The Messenger of Allah “peace be upon him” upon you?” we persisted in instructing him until he retracted from his opinion, thereupon Allah Almighty restored the hair to his forehead.

But if there is no model worthy of imitation, except one who, therefore, assumes himself entitled to it, then, that the imitator sins by his imitation is questionable. But he may, more likely, be sinful.

The typical example is those belonging to the times of interruption in the series of Messengers, who adopt the cults of their forefathers, and the religions followed by their contemporaries. The scholars classify them into two divisions: the first fall short of Shari‘ah, and anything therewith to come close to Allah. Such then does not act upon anything thought to bring him close to Allah, and rather acts upon what his people do, in which they have no grounds other than appreciation. It is those who are included in Allah’s saying: **{nor would We visit with Our Wrath until We had sent a Messenger (to give warning).}** [Al-Isra’ 15]

The other division represents those who learn well the false worship of their contemporaries, and their dependence on their own opinions in making things lawful or unlawful, and further agree with them on their falsehood. Those are inexcusable, according to the consensus of the scholars. They are sinful, like their contemporaries, for they agree with them on acting and taking allies and enemies, according to their false religion, thereupon become a part of its people.

But some scholars make the Divine statement more general, and say that no one should be punished before the Messengers are sent, and their call is rejected. However, if this statement is proven to be valid, its example is like the case in which one comes, more learned than the model of imitation, to clarify and distinguish the Sunnah from the religious innovation. If the imitator then reverts to him concerning the rulings of his religion, and does not insist on the former, he will have acted upon the precaution, which is characteristic of the rational, with which safety is expected. But if he insists on the former, he then will prove obstinate. That is because no one rejects to revert to what is better

unless he is stubborn, follows his own inclination, and is seized by fanaticism in the same way as one is seized by hydrophobia. Being so, it is not unlikely that he will support the doctrine of the former one whom he imitates, and attest it with anything available to him. He indeed is subject to the same ruling of the previous division.

When the lawgiver, the Prophet “peace be upon him” was sent to men of religious innovations and inclinations, who relied, in their arguments, on their forefathers, and rejected what he “peace be upon him” brought, and their hearts were covered up with the rusts of their fancies and illusions, so much that they confused the Prophetic miracles with other things, his law turned to be an argument against them in general; and the one who died on this state among them was driven to the fire of Hell, whether or not he was an evident obstinate. That is because the argument was established against them once he “peace be upon him” was sent to them, to clarify the truth which they opposed.

Our case in issue is similar to this. Whoever then opposes his inclination, has safeguarded his religion; and whoever follows the inclination, there is fear he may be destroyed. Allah suffices us (for the best Disposer of affairs).

2.3. Further Clarification Of The Issue

Let us, in this chapter, give further explication to this question, as it represents the focal point on the basis of which the book is centered.

We give the name ‘men of religious innovations’ or ‘men of inclinations’ to those who invent those innovations in religion, or adopt their inclinations in the religious matters, by means of deduction, attestation and defense of them. Their malicious allegations, in this sense, are questionable, and there is a dire need to refute them by evidence and proof. likely, we give the names of such factions as Mu‘tazilah, Qadariyyah, Murji’ah, Khawarij and Batinites, to those who contribute in them by means of invention, support and defense. The same applies to the term ‘Sunnah’ which is given to those who follow it, deduce rules according to its principles and rules, and support it.

That concept is put forward by the fact that the statement of Allah Almighty: **{Verily, those who divide their religion and break up into sects}** [Al-An‘am 159] may give the impression that the term is meant to point out only those who make the act of division of religion, other than its inventors or supporters. He further said: **{Be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs.}** [Al ‘Imran 105] the same is true of His statement: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings).}** [Al ‘Imran 7] It is only the Mujtahid rather than anyone else who could follow that which is not entirely clear thereof.

The same applies to the Hadith narrated on the authority of ‘Abdullah Ibn ‘Amr Ibn Al-‘As "Allah be pleased with both" that he said: The Messenger of Allah “peace be upon him” said: “Verily, Allah never takes away knowledge by depriving the people of it after He had given it to them: but He takes away knowledge by taking away the scholars, so that when He leaves no learned person, people would turn to ignorant as their leaders, who, subsequently, would be asked to deliver religious fatwa, and they deliver it without knowledge, thereupon they would go astray, and mislead others.”⁽¹⁾ That is because they place themselves in the same position of those who deduce Shari‘ah rulings, in which they are imitated by others.

Unlike are the laymen, who only follow what is established by their scholars, as being obligatory upon them. In this way, they follow neither that which is imprecise, nor the inclination. They rather follow what is said to them, whatsoever. So, the laymen should not be named men of inclinations or

(1) See Sahih Muslim, Hadith no. 2673.

religious innovations until they themselves are able to consider them, and appreciate or depreciate them according to what seems to their sights. The term 'men of religious innovations, or inclinations' then stands only for the one who invents or gives preponderance to that (religious innovation or inclination) over others. Excluded then are the laymen, who only follow the ways of their masters in this respect, by way of imitation rather than consideration and meditation.

The truth of matter is that there are two kinds: the religious innovator, and the imitator. The latter is not subject to the same ruling of the former only by imitation, for he is a follower, whereas the religious innovator is the inventor, who attests for the validity of this invention. It is the same, whether this attestation is the outcome of reflection on the deed, i.e. detailed, or general, for Allah Almighty condemned people who said: **"We found our fathers following a certain religion, and we do guide ourselves by their footsteps."** [Az-Zukhruf 22] That is because they attested their argument by means of generalization. This general proof is their fathers, whom they rendered rational: "They (the fathers) were following this religion only because it is right, and this is why we now are following it, and had it not been wrong, they would not have adopted it."

Their example is like those who attest the validity of a religious innovation by the deed of the Shaykhs and those famous for their being righteous among men, and no importance is given to their being Mujtahids (independent with their reasoning-based opinions) or imitators in the matters of Shari'ah, or to their acting on the basis of knowledge or with ignorance. This belongs to the general attestation, as being made fundamental in following the inclination and leaving anything else. Whoever acts upon it is a follower of the religious innovation with a proof taken from another than him, and belongs to the men of religious innovations and inclinations. That is because it is due upon such a person to consider the truth once it comes to him, and search, and ask until he follows it once it becomes clear to him, or avoid the false once it is evident to him. For this reason, Allah Almighty said, in reply to their argument: **"What! Even if I brought you better guidance than that which you found your fathers following?"** [Az-Zukhruf 24] He further said in another Holy Verse: **{When it is said to them: "Follow what Allah has revealed:" they say: "Nay! We shall follow the ways of our fathers:" what! Even though their fathers were void of wisdom and guidance!}** [Al-Baqarah 170] He said too: **{When they are told to follow the (Revelation) that Allah has sent down, they say: "Nay, we shall follow the ways that we found our fathers (following)." What! even if it is Satan beckoning them to the Penalty of the (Blazing) Fire?}** [Luqman 21] There are many like those in the Qur'an.

The characteristic of such is to reject anything else other than his doctrine with what he has of malicious alleged evidence, be it general or detailed, and further fanaticize for his opinion, careless about whatever truth appears to him.

That is indeed what is intended by following the inclination, which is really condemnable.

He then is sinful. That is because the one who seeks to be guided by the truth inclines to it immediately once he finds it. That is the usage, as far as seeking the truth is concerned. For this reason, the truth seekers hastened to follow The Messenger of Allah "peace be upon him" immediately when the truth seemed evident to them.

But in case one does neither find anything other than the religious innovations, nor share the disobedient (i.e. the inventor of religious innovations and the followers of inclinations); but, at the same time, he acts upon those innovations: if we adopt the opinion that the men belonging to the time of interruption in the series of Messengers will be punished at all for following the inventors of lies among them, the reason is that if the followers of the religious innovations fail to find the truth, they also will be accountable. But if we adopt the opinion that no one will be punished, even though they act upon the disbelief, before a Messenger is sent to them, this goes back to the fact that they will not be held responsible as long as they fail to find the truth to follow.

Therefore, in case they find it, they then will either follow it and leave whatever falsehood they are on (thereupon they will not be sinful), or leave it, out of obstinacy and fanaticism, thereby they will be included among the men of inclinations and religious innovations, and become sinful.

Being so, whoever follows Bayan only depending on hearsay in his religious innovation, by way of imitation out of approval of it, and disapproval of anything else other than it, will share the sin with the followers. He alleged that his object of worship takes the form of man who will be ruined entirely save his face; and that the Divine spirit has indwelt in such persons as 'Ali "Allah be pleased with him", then in so and so, and then in Bayan himself.

The same applies to him who follows Al-Mughirah Ibn Sa'eed Al-'Ajli, who claimed Prophethood for a period of time, and went as far as to allege that he could bring the dead to life, by virtue of Allah's Greatest Name, and that his object of worship has organs arranged according to the alphabet, in a way quite disgusting to the heart of a faithful believer...to the end of this series of his atheisms.

Similarly, the same is true also of him who follows Al-Mahdi Al-Maghribi, to whom a lot of religious innovations of Maghrib are attributed: he shares the sin and name with his followers, esp. if he holds himself to defend these inventions in religion, and support his argument with the malicious allegations.

May Allah Almighty safeguard us from the evil of fanaticism and extremism, with no insight from the truth and right guidance, by virtue of His bounty, favor and mercy.

3.3. When It Is Proven That The Religious Innovator Is Sinful

If it is proven that the religious innovator is sinful, his sin is not the same in all cases: it indeed varies by variation of the perspectives from which it is considered. Those include whether or not the religious innovator is worthy of Ijtihad; whether he conceals or discloses his religious innovation; whether the religious innovation itself addresses the essentials of religion, is real or supplementary, clear or abstruse, disbelief or not disbelief; and whether or not its perpetrator is persistent in it...to the end of those things according to which the sin is judged to be either significant, insignificant, or close to certainty.

Although this issue might not be hidden from the one who is learned about the principles of the religion, it should not be left without clarification at all; and it is preferable to shed light on it even briefly.

The difference based on whether the perpetrator is a claimant of Ijtihad or imitator, is quite obvious. That is because the one who delves the imprecise Verses seeking interpretation of their hidden meanings, i.e. the primal originator, is more ready to deviation than the imitator, even though the latter claims investigation, since the investigating imitator should either rely on the primal originator whom he imitates in some principles on which he establishes his argument, or develop further the opinion of the originator.

But in case the imitator investigates by himself to produce his own argument, he then exceeds the rank of imitation to the rank of invention, with the difference that the former, as the primal originator, is the first to lay the foundation of this evil act, thereby he bears its sin and the sin of anyone acting upon it after him. The latter is among those who act upon it, whose burden is due upon the former in the very way pointed out by the authentic Hadith. The former's sin is, anyway, graver and more grievous than the latter's. that is because although the latter investigates, supports his argument with alleged evidences, and proves obstinate to the truth, his evidences, in the end, are general rather than detailed. The difference between both is apparent. The detailed evidences are more effective in supporting the argument than the general. Thus, the sin becomes grievous as much as attestation is effective.

In regard with the difference as to whether or not it addresses the essentials of religion, it will be discussed in more detail later, Allah willing, during the talk about the rulings on the religious innovations.

Concerning the difference as to conceal or disclose it, it is apparent that the one who conceals it restricts it to himself in a way that it does not

transcend him to anyone else. However, in whichever form a religious innovation is made, be it major, minor, or unfavorable, it remains subject to its basic ruling. If he discloses it, but does not advocate to it, his disclosing it is, therefore, a means to imitating him.

It will be explained later, by Allah's might and power, that in many cases, the means may take the same judgment of the very thing to which it leads. In this way, such a person has a double sin of acting upon it, and holding it for others to imitate him in it; and the sin, in this respect, is graver.

a typical example for it is the narration of At-Tartushi⁽¹⁾, about the origin of standing (in prayer) on the middle night of Sha'ban, from Abu Muhammad Al-Maqdisi⁽²⁾, that he said: "We did not know those prayers of Ragha'ib (exhortation) to be performed in Rajab and Sha'ban in Jerusalem. It was invented among us for the first time in 448 H., when a man called Ibn Abu Al-Hamra' came to us, and he had a sweet voice in recitation. He stood and spent the middle night of Sha'ban in prayer in the Farthest Mosque. Then, a man assumed prayer behind him, and a third one did the same, and then a fourth one joined them, and so on, until in the end, he was leading a big group of prayers behind him. Then, he came in the next year, and a great multitude of people prayed behind him on that very night. It became common in the mosque, and spread among the people to be performed in the Farthest mosque, and in the houses, and continued as if it were an act of Sunnah to those days." I asked him: "But I have seen you praying it in congregation." He said: "Yes, and I ask for Allah's forgiveness from it."

the difference as to whether or not he advocates to it, is also apparent. If one does not advocate to his religious innovation, it is likely that no one will imitate him, even though he is apt to be imitated by others, and the people may differ as to why they should imitate him. He may be anonymous, or famous but not imitated by anyone, since there is somebody more famous and higher in rank in the sight of the people than him.

But if one advocates to his religious innovation, it is more likely that he may be imitated by others, esp. when the originator is eloquent in speech, and his words are impressive, and he exhorts the people to act upon it, and frightens them from abstention, and conveys to them his malicious allegation, which captivates the hearts due to its flowery discourse. A mention may be made of the state of Ma'bad Al-Juhni in his calling the people to adopt Anti-Fatalism, which he embraced, and twisted his speech in order to give the false impression that it is attributed to Al-Hasan Al-Basri.

It is narrated on the authority of Sufyan Ibn 'Uyainah that A certain

(1) Siyar A'lam An-Nubala', 19:490; Shatharat Ath-Thahab, 4:62.

(2) Siyar A'lam An-Nubala', 21:443; Al-Bidayah Wan-Nihayah, 13:38.

question was raised to ‘Amr Ibn ‘Ubaid, thereupon he give answer about it, and attributed it to Al-Hasan (Al-Basri). A man said to him: “But it is otherwise narrated from Al-Hasan.” On that he said: “I have told you that this is from my own good (Hasan) opinion”, in reference to himself.

According to Muhammad Ibn ‘Abdullah Al-Ansari that he said: Whenever ‘Amr Ibn ‘Ubaid was asked about something, he would say, after giving his answer about it: “That is from my own good (Hasan) opinion”, thereby giving the impression that it is the opinion of Al-Hasan Ibn Abu Al-Hasan, although it was always his own opinion.

As for the difference on the basis of whether or not he dissents from the Sunnah, of a surety, the one who does not dissent from it commits no mischief for which he deserves a sin by his calling to it. but the dissenter opposes the major pioneering Imams, which leads to tumult, causes mischief on the land, arouses wars and afflictions, and provokes hatred and enmity between the different factions. There is no doubt that his sin is graver and his crime more heinous.

The example for such is the story of the Khawarij, about whom The Messenger of Allah “peace be upon him” said: "They will desert Islam just as an arrow comes out of the game's body. They will kill the Muslims and leave the idolaters...." However, their news is famous.

But they may not dissent (from the Sunnah), and rather satisfy themselves with the invitation (to their opinion), even though in a way that forces others to answer their invitation, since it implies coercion and intimidation. It is neither a mere invitation, nor a dissention in the full sense of the word. It is, for instance, to seek, in one’s invitation, the aid of the men in power, from among the viceroys and sultans, in which case, the imitation is more likely, because there is fear that the rejecter would be punished by the ruler, by means of imprisonment, striking or even killing.

A mention may be made here of the case of Bishr Al-Marisi during the era of Al-Ma’mun, Ahmad Ibn Abu Da’oud during the caliphate of Al-Wathiq, and the Maliki scholars in Andalusia when the ruling was taken by Al-Mahdi patrons, who, upon their adoption of Zhahiriyyah and aversion for Maliki juristic school, tore the books of Maliki school, and called them the books of the independent opinion, and put to humiliation a lot of virtuous men, because they embraced the Maliki opinions in Shari’ah. They themselves adopted, as we mentioned above, the opinions of Zhahiriyyah, which, in the sight of many learned scholars, was a religious innovation that emerged after the second century of Hegira. Would that they agreed with the opinion of Dawud and his companions! They went as far as to adopt their own opinions, and invent to the people things in Shari’ah which were unfamiliar to them at all, and forced them to adopt them, willingly or unwillingly, until they became widespread

among the people, and remained for a long time until most of them vanished, and there is still a part in those days. Would that the context should permit for the mention of a set of those opinions in this book, Allah willing.

The sin in this respect is graver than the mere invitation, and this goes back to two reasons: the first is intimidation and coercion, and threat to put to prison or kill the rejecter. The other is the multitude of those to answer the invitation, for a lot of people may not respond to warning and giving excuses concerning the hereafter, unlike this world. That is why the legal punishments were ordained. However, Allah Almighty may avert, by the power of authority, (of wickedness) what may not be prevented only by the Qur'an. Thus, if a religious innovator fails to find enough supporters for his claim, only by warning and giving excuses in his admonitions, he may seek the aid of the men in power, in order to ensure the response of the people.

Regarding the difference as to whether the religious innovation is real or supplementary, there is no doubt that the real one is more sinful, since it is this which committed by the forbidden with no mediation, not to mention its being a mere violation and clear dissention from the Sunnah.

A mention may be made of the adoption of Anti-Fatalism, reason-based appreciation or depreciation, rejection of the Ahad (solitary) Hadiths, denial of consensus (which is the third source of Shari'ah, after the Qur'an and the Sunnah), rejection of wine prohibition ruling, adoption of the infallible Imam, and the like of those things.

But if it is supposed to be supplementary, i.e. to be valid under Shari'ah from one point, and based on an independent opinion from another point, in the sense that it does not contradict the proofs of Shari'ah from all points, of course it is quite different from the real one, even though it seems outwardly real. This difference will be clarified in detail later, Allah willing.

The sin thus differs in accordance with this difference. A typical example is to say that placing the Mus'haf in the mosques to recite the Qur'an therein after the Morning Prayer is a religious innovation.

According to Malik, Al-Hajjaj Ibn Yusuf was the first to place the Mus'haf in the mosques. He meant that he was the first to make arrangements for the recitation of the Qur'an in the Mus'haf after the Morning Prayer. Ibn Rushd⁽¹⁾ said: "It is like what is done in our country until those days." That is indeed a newly invented thing, i.e. to place the Mus'haf in the mosque for recitation. However, the recitation in the mosque is valid under Shari'ah in general, upon which the people act, but what is newly invented is to make recitation in the mosque in this way.

(1) Siyar A'lam An-Nubala', 19:501; Shatharat Ath-Thahab, 4:62.

The same applies to putting the Mus'haf, in those days of ours, in mosques for recitation on Friday, and no more.

In regard with the difference as to whether it is clear or abstruse, it is known that to follow a religious innovation when it is clear is, indeed, a mere violation, unlike the abstruse one, following which may not be a violation, on the basis of the fact that it may not probably be a religious innovation.

To be sure, to follow something which may probably be so is less in rank than to follow a thing which is apparently so. For this reason, the religious scholars consider it recommended to leave the suspicious matters, in order not to commit the unlawful, which is, as stated by the Hadith, like a protected zone which one should not hover round, whereas the one who falls in the suspicious matters may, more likely, fall in the unlawful. However, to leave the unlawful is not recommended: it is indeed obligatory. The same is true of the ruling pertinent to following what is abstruse of religious innovations.

If we say that it is recommended to leave what is suspicious, as well as it is unfavorable to commit it, there will be a difference also from this point of view. To commit the unlawful is apparently sinful, whereas to commit the unfavorable yields no sin in general, so long as it is not related with anything that enforces sin, such as to persist in it: as well as to persist in committing a minor sin turns it into a major sin, to persist in committing the unfavorable turns it into a minor sin. There is no difference between the minor and the major in their leading to sin, even though the difference lies in another respect (in regard with the nature and quantity of the sin), unlike the difference between the unfavorable and the minor sin.

As far as the religious innovations, they are unfavorable in general, in terms of practicing them regularly, and disclosing them, on the part of the models of imitation, among the people and in the mosques. Moreover, regardless of their being unfavorable in principal, they are always related with something which makes them sinful, like persistence in them, teaching them to others, publicizing them among the people, showing fanaticism for them, and so. There is almost no religious innovation which is only unfavorable; and Allah knows best.

Concerning the difference on the basis of persistence and non-persistence in the religious innovation, it goes back to the fact that as well as persistence in a minor sin aggravates it, and turns it into a major one, similarly, a religious innovation may be minor, and persistence in it may aggravate it, and turn it into a major one. To be sure, to do a religious innovation slipping is less sinful than to do it persistently. The same is true of indulgence in it, just as he indulges in the sin itself: to be sure, the indulgent in it is more sinful than the non-indulgent.

The difference based on whether or not it is disbelief is also apparent.

That is because the reward of disbelief is the eternal abidance in the punishment, may Allah save us all, unlike the crimes which do not amount to the rank of the major sins, and crimes that leads to disbelief.

There is no graver religious innovation than the one which causes its perpetrator to renegade from Islam, just as there is no sin more grievous than that which causes the sinner to become apostate from Islam. The religious innovation of the Batinites and atheists is not like that of the Mu'tazilah, the Murji'ah and their likes.

There are so many points of disparity; and since they are apparent in the sight of the religious scholars, we need not to explicate them here in detail. And it is Allah Whose aid is sought.

4.3. A Chapter On The Ruling Pertinent To The Religious Innovators

That is a great division in jurisprudence about their crime against the religion, mischief in the land, and deviation from the straight path of Islam to the crooked ways of which Allah Almighty warned in His saying: **{"And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."}** [Al-An'am 153] It is also a chapter that perfects the talk about the sinfulness of the religious innovators.

But as important as this might be, it is, in the jurisprudence, short of investigation in many of its branches, some of which have been dealt with by the scholars, and others not. That is because the evil took place after the death of the Mujtahids and those who devoted themselves to the protection of the religion. Therefore, its branches are too many to require an independent composition.

Nevertheless, we think that it will be too lengthy to explicate this matter in detail as much as it should be, given that to undergo the suffering of such a task, esp. in those days, is of no advantage, because the private among the people have become too lazy to investigate what would benefit the laymen, who, in turn, have been overwhelmed by ignorance so much that they are unable to differentiate between the Sunnah and the religious innovation, and in their sight, the religious innovation has turned into an act of Sunnah, and the act of Sunnah into a religious innovation. The result is that they came to do things improperly, thereupon the disease have become public, and the physicians absent, just as reported.

So, we have seen it better not to specify an independent section to this issue, nor to explicate it in detail as much as it really deserves; and rather to satisfy ourselves with a brief outline therewith to conclude this section, in reference to the different rulings pertinent to them, in general rather than in detail; and with Allah is success.

We say that to punish the religious innovators by sentencing them to blame, torment to be a lesson for others to learn, deportation and exile, and disapproval of their conduct, goes back to the state of the religious innovation in itself, as to whether or not it causes great mischief in the religion, and its inventor is famous and renowned for it among the people, advocates others to it, dares to transgress upon the people because of his great number of followers, and acts upon it with ignorance.

Each of those divisions has an independent ruling based on Ijtihad and personal reasoning of scholars, since there is in Shari'ah, no legal punishment for the religious innovation to abide by with neither addition nor reduction, as is the case with such crimes as theft, waging war against Allah and His Messenger, killing, drinking wine, launching false charges against the innocent, wounds, adultery, and so.

There is no doubt that the Mujtahids among this ummah investigated those religious innovations in accordance with the adversities and calamities caused by them, and passed their judgments concerning them depending upon their personal reasoning, on the light of the transmitted texts that were revealed in connection with some of them, like the command of the Prophet "peace be upon him" to kill the Khawarij, and the order issued by 'Umar Ibn Al-Khattab "Allah be pleased with him" to expel Subaigh Al-'Iraqi.

The investigations of the scholars produced many judgments including:

The first is to guide and instruct them, and establish the argument against them, like the case of Ibn 'Abbas "Allah be pleased with them" when he went to debate the Khawarij, and established the argument upon them, with the result that about two to three thousand retracted.

The second is to desert them, not to speak with them, nor salute them, as has previously been reported from some righteous predecessors in this respect, that they deserted the inventors or perpetrators of any religious innovation; and what has been related from 'Umar Ibn Al-Khattab "Allah be pleased with him" concerning his story with Subaigh Al-'Iraqi.

The third is to expel them; and that is what 'Umar Ibn Al-Khattab "Allah be pleased with him" did with Subaigh; and similar to it is imprisonment.

The fourth is to put them to prison, as they did with Al-Hallaj for many years before killing him.

The fifth is to disrepute them by publicizing their religious innovations among the people in order to beware of them, and not be deceived by their speech, as has previously been narrated from the righteous predecessors.

The sixth is to kill them esp. if they become hostile to the Muslims, and revolt against them, as is the case with 'Ali "Allah be pleased with him" who fought the Khawarij, and so did the caliphs who followed the Sunnah.

The seventh is to kill them if they do not retract after seeking their repentance from their religious innovation, which they have disclosed among the people.

The eighth is to kill him, without even seeking his repentance, if he conceals his religious innovation which is disbelief or relates to disbelief, since, in this case, it belongs to hypocrisy, like the atheists.

The ninth is to render disbeliever the one who is proved, by clear evidence, to be a disbeliever, when the religious innovation is an obvious disbelief, like the supporters of licentiousness, and the fans of immanent, i.e. the Batinites; or in case they will be rendered disbelievers in the future (due to

belonging to many factions whose disbelief will be proved later); and it is on this basis that such Mujtahids as Ibn At-Tayyib rendered disbelievers many factions.

The tenth is that being so, their property is neither inherited by anyone of their Muslim heirs, nor do they themselves inherit the property of their Muslim relatives, nor are their dead bodies washed when they die, nor is funeral prayer offered on them, nor are they buried in the graves of the Muslims. But exclusion may be made to the one who conceals his religious innovation, since he is judged on the light of what seems apparent from him, and his heirs know better his property.

The eleventh is the command that they should get no marital relation with others, and this belongs to desertion.

The twelfth is that they should be criticized in total: neither their witness nor their narration should be accepted, nor should they be appointed in charge of any public office, such as ruling, judiciary, imamate, or their likes. But even, it is proven from many righteous predecessors that they narrated from some of them, and they differed over performing prayer behind them, out of disciplining, perchance they would retract from their evil.

The thirteenth is to avoid visiting the patient among them to inquire about their health, out of deterrence and punishment.

The fourteenth is to avoid attending their funeral processions.

The fifteenth is to beat them, as 'Umar beat Subaigh. It is narrated from Malik, concerning the one who claims that the Qur'an is created, that he should be beaten severely and put to prison until he retracts or dies.

I have seen in a composition about the history of Baghdad a narration attributed to Ash-Shafi'i, that he said: "My judgment on the heretical scholastic theologians is that they should be beaten severely with the leaf stalks, carried on camels, and made to circulate the different tribes and clans, and said about them: "That is the reward of those who have left the Book and the Sunnah, and adopted the heretical scholastic theology", in reference to the religious innovations.

5.3. A Chapter on Further Discussion of the Issue

But even, it may be asked: How is that, since it is proven in Shari‘ah that it is necessary to understand those generalizations in terms of their specific manifestations, and the absolute issues in context of their restricted cases, from which the religious scholars have elicited many branches, and made principles to be followed, as reported? To be sure, the new phenomena are deduced by Ijtihad, and it is preferable to measure what is deduced by Ijtihad on the specific rather than general cases. That is why the people divided the religious innovations, and not condemned them absolutely.

What is mentioned in this respect goes back to many points:

The first is that It is narrated in an authentic Hadith that The Messenger of Allah “peace be upon him” said: “He, who lays the foundation of a good tradition in Islam, will receive a reward for it and reward of anyone, who acts upon it subsequently, and that will reduce nothing from their rewards; and he, who lays the foundation of an evil tradition in Islam, will bear the burden of it, and the burden of anyone who acts upon it subsequently, and that will reduce nothing from their burden.”⁽¹⁾

It is narrated also by At-Tirmithi from The Messenger of Allah “peace be upon him” that he said: “Whoever guides to a good act will have a reward like the one who does it.”

It is narrated also by At-Tirmithi on the authority of Jarir Ibn ‘Abdullah “Allah be pleased with him” that The Prophet “peace be upon him” said: “He, who lays the foundation of a good act, on which he is followed, will have a reward for it, and the like of the reward of such as act upon it, without reducing anything from theirs; and he, who lays the foundation of an evil act, on which he is followed, will bear the burden of it, and the like of the burdens of such as act upon it, without reducing anything from theirs.”

Those Hadiths indicate that if one lays the foundation of a good act or tradition, that will be good. Of course, the attribution of the act whatsoever to the one competent for religious assignments, rather than the lawgiver means that it is not a well-established act. This is indicated by the Hadith in which The Messenger of Allah “peace be upon him” said: “Whenever a person is murdered unjustly, there is a share from the burden of the crime on the first son of Adam, for he was the first to lay the foundation of murdering.”⁽²⁾ That is because he invented something which was not practiced before him on earth

(1) It is narrated on the authority of Al-Munthir Ibn Jarir from his father. Sahih Muslim, Hadith no. 69[1017].

(2) It is narrated on the authority of ‘Abdullah Ibn Mas‘ud: see Al-Bukhari, Hadith no. 6867.

since the emergence of Adam “peace be upon him”. The same is true of his statement “whoever lays the foundation of a good act”, i.e. whoever acts upon it out of his own, provided that it is good, will have of reward what has been mentioned. It is not intended here to set a well-establish act or tradition.

It is meant to say ‘whoever acts upon my Sunnah, or upon an item of my Sunnah’. In this connection, It is narrated by At-Tirmithi on the authority of Bilal Ibn Al-Harith that the Messenger of Allah “peace be upon him” said to him: “It should be known to you O Bilal!” he said: “I am ready to know, O Messenger of Allah.” He further said: “It should be known to you, O Bilal!” he said: “I am ready to know, O Messenger of Allah.” The Messenger of Allah “peace be upon him” said: “It should be known to you that whoever revives an act of my Sunnah (that was abandoned by the people and) caused to die after me, will have the like of the reward of such as act upon it, without reducing anything from the reward of the people; and whoever innovates a religious heresy, disapproved of by Allah and His Messenger, will have the like of the sin of such as act upon it, without reducing anything from the sins of the people.” [Hasan⁽¹⁾]

It is narrated on the authority of Anas "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said to me: “O my son! If you could, every morning and evening, disengage your heart from cheating for anyone, then, do it.” then he further said to me: “That is out of my Sunnah. No doubt, whoever revives my Sunnah has loved me; and whoever loves me will be gathered with me in Paradise.” [Hasan⁽²⁾]

His saying then ‘whoever revives an item of my Sunnah that was caused to die after me’ means clearly to act upon what is proven to be out of the Sunnah. The same is true of his statement ‘whoever revives my Sunnah has indeed loved me’. It differs quietly from his statement ‘whoever lays the foundation of so and so’, which means to invent it without being principally an established way in the Sunnah.

As for his saying to Bilal Ibn Al-Harith "Allah be pleased with him" ‘whoever invents a heretical religious innovation’ clarifies that the religious innovation is not condemnable absolutely: it is condemned provided that it should be heretical, and do not please Allah and His Messenger “peace be upon him”. This requires that if the religious innovation is not heretical, and its inventor is not sinful by inventing it, it then will belong to the good tradition, for which its inventor is promised to have a reward.

The second is that the righteous predecessors, the highest of whom are the Companions "Allah be pleased with them" acted upon things which they found neither in the Book of Allah nor in the Sunnah of His Prophet “peace be upon him”. They indeed acted upon that which gained their consensus; and

(1) At-Tirmithi, Hadith no. 2817; Ibn Majah, Hadith no. 210.

(2) At-Tirmithi, Hadith no. 2819; Tuhfat Al-Ahwathi, 7:371.

it is a well-known fact that the ummah of Muhammad “peace be upon him” never agree unanimously on falsehood. They always agree on guidance, and what is good.

For instance, they had consensus upon collecting the Holy Qur’an and writing it down in one Mus’haf, and coercing the people to abide by the Mus’hafs written during the era of ‘Uthman “Allah be pleased with him”, and leaving all recitations which were in practice during the lifetime of The Messenger of Allah “peace be upon him”. They did so without any text to forbid it or make it permissible. Then, the people followed their footsteps in this good opinion. They gathered knowledge, and wrote it down in compositions. It was Malik Ibn Anas “may Allah have mercy upon him” who had the precedence in this respect, given that he was the strongest in imitation (of the tradition), and the farthest from innovation in the religion.

Therefore, that it is transmitted that they disliked writing down such items of knowledge as the Prophetic Hadith and its like, could be construed within the context of their fear lest the people would mainly rely on writing down knowledge and rather do away with memorization and acquisition, let alone its being a personal opinion, not transmitted from the Book or the Sunnah. Then, the people agreed on writing down all branches of knowledge when the fear weakened because these who strive in acquisition of knowledge became less in number, thereupon they felt afraid of the loss of religion in general.

In his mention of the words of Malik and others about the aversion for selling the books of knowledge, and taking charge for teaching it, Al-Lakhmi⁽¹⁾ said: “It is narrated that he saw no impediment from hiring such as scribe knowledge. He related the difference of opinion among the scholars about that and said: “In those days, I do not think that there should be dispute about its being permissible, since the people’s memories and understanding have run short. The previous generations had no books to write down knowledge.” he resumed: “Neither Al-Qasim nor Sa’eed had books of knowledge; and I have never read in front of anyone of the learned who used to write down in tablets. I asked Ibn Shihab: “Did you use to write down knowledge?” he answered in the negative. I further asked him: “Did you like that your disciples should record your narrations?” he answered in the negative. That was the usage of the people. Had the coming generations followed their conduct in this respect, of a surety, the knowledge would have been lost, and nothing thereof would have remained among us whatever little it might be. Although the people now write and read knowledge in their books, they are as deficient as you could see.

Similarly, there is difference among us as to whether it is obligatory to depend upon Ijtihad and analogy in the detailed issues. Being so, to neglect writing them down and selling their books may lead to shortage in Ijtihad, and underestimating its position. That is because getting acquainted with the

(1) Siyar A’lam An-Nubala’, 14:530; Al-Bidayah Wan-Nihayah, 11:163.

statements of the previous generations, and choosing from among them strengthens Ijtihad, and contribute in giving it its due estimate.”

It is then deduced, from the statement of Al-Lakhmi, that it is permissible to act upon something which the previous generation did not act upon, as long as it is valid.

From this perspective, we also say that each newly invented thing which is valid is commendable rather than condemnable, and its inventor is praised. That is why we should not criticize all innovations absolutely and generally.

‘Umar Ibn ‘Abd-Al-‘Aziz “may Allah have mercy upon him” said: “No doubt, new cases which require new judgments occur as much as the people invent new forms of wickedness.”

He made it permissible, as you see, to invent cases and their related judgments in so far as the wicked among the people invent new events of wickedness and immorality, even though those new invented cases have no fundamental origin. A mention may be made here of killing many in retaliation for only one, as being related from such Companions as ‘Ali, Ibn ‘Abbas, and Al-Mughirah Ibn Shu‘bah "Allah be pleased with them".

Malik and his companions (the Maliki scholars) adopted the principle of taking into consideration the statement of the dead (by killing) “My blood is due on so and so”, and brought in his Muwatta’, no origin for it handed down from the early generation. His justification is based only on what should be agreed upon among the people. However, there are many questions in his opinion.

The point is then to ask: since this is permissible, given its being invented, then, why should its like not be made permissible too, given that they share the same rationale? All, in fact, are intended to serve the considerable benefits. Were nothing of this to be permissible, then, why have they unanimously agreed on many things like this, on the basis of which some of them established divisions? If it is said that they follow some apart from others, given the commonness of rationale which makes analogy acceptable, in this case, this exclusion becomes arbitrary, which is false, and anything ensues from it is also false. From this point of view, it is proven that the religious innovations are of many divisions.

In reply to this, let us say, and success is with Allah Almighty:

As for the first point, i.e. the statement of The Messenger of Allah “peace be upon him”: “Whoever lays the foundation of a good tradition in Islam...”, it is not meant to refer to invention, by all means, otherwise, it would lead to opposition of evidences with full certainty, in case the asker claims that his evidences are fully certain. But if he claims that his evidences have a measure of uncertainty, and the evidence which has already been mentioned about the condemnation of the religious innovation is fully certain, this will lead to opposition of evidences with full certainty, evidences with a measure of uncertainty, and what has been unanimously agreed upon among the

investigators. But this question is open to discussion from two points of view:

One is to say that it belongs to the questions which accepts opposition, on the basis of the fact that the general evidences of condemnation (of religious innovations) have recurred in many Hadiths with no specification. It is a well-known fact that if there is opposition between the general evidences and specification, the latter then should not be considered.

The other is that there is no opposition, on the basis of the fact that the invention is not intended by the Hadith: it is intended thereby to act upon what is proven of the Prophetic Sunnah, due to two reasons:

The first is that the occasion of this Hadith is the ordained charity.

In this connection, It is narrated on the authority of Jarir Ibn ‘Abdullah "Allah be pleased with him" that he said: While we were sitting with The Messenger of Allah "peace be upon him" in the early hours of the morning, some people came in. they were barefooted, naked, wearing striped woollen clothes, or cloaks, carrying their swords. Most of them, if not all of them, were from (the tribe of) Mudar. The color of the face of The Messenger of Allah "peace be upon him" changed when he saw them in such a state of poverty. He entered (his home) and came out and ordered Bilal (to pronounce Athan). He pronounced Athan, and then Iqamah. Then, he (The Prophet) offered prayer (leading his Companions). Then he delivered a sermon, in which he recited: **{O mankind reverence your guardian Lord, who created you from a single person, created, of like nature, his mate, and from them twain scattered (like seeds) countless men and women; reverence Allah, through whom you demand your mutual (rights), and (reverence) the wombs (that bore you): for Allah ever watches over you.}** [An-Nisa’ 1] he also recited the following Verse from Surat Al-Hashr: **{O you who believe! Fear Allah, and let every soul look to what (provision) he has sent forth for the morrow. Yea, fear Allah: for Allah is well acquainted with (all) that ye do.}** [Al-Hashr 18]

Then, (they started giving in charity.) Some gave a Dinar, others gave a Dirham, others gave clothes, others gave a Sa’ of wheat, some gave a Sa’ of dates, and so on until he (The Prophet) said: "(Give) even if it is (as little as) half a date." One from the Ansar came there with a moneybag, which his hands could hardly, if not, carry. Then the people followed (giving in charity) continuously, till I saw two heaps of food and clothes. I saw the face of The Prophet "peace be upon him" as glittering as gold (because of happiness). Then, he "peace be upon him" said: "He who lays the foundation of a good tradition in Islam, will receive a reward for it, and the reward of anyone who acts upon it subsequently, and that will reduce nothing from their rewards; and he who lays the foundation of an evil tradition in Islam, will bear the burden of it, and the burden of anyone who acts upon it subsequently, and that will

reduce nothing from their burden.”⁽¹⁾

Consider at which point did The Messenger of Allah “peace be upon him” say “whoever lays the foundation of a good tradition”, you will find that it is related with him who acts upon what is mentioned, as much as lies within his capacity, as referred by the handbag of the money brought by the Ansari man, thereby opening the gate of charity to the best, by which The Messenger of Allah “peace be upon him” grew glad and happy so much that he said: “Whoever lays the foundation of a good tradition in Islam...’, indicating that the act of Sunnah is what was done by this Companion: i.e. to act upon what is proven to be an item of Sunnah. It confirms also that the Hadith is similar to the other one in which he “peace be upon him” said: “Whoever revives an act of my Sunnah that was (abandoned by the people and) caused to die after me, would have a reward like that of those who acted upon it, without reducing anything from the reward of the people; and whoever innovated a religious heresy, disapproved of by Allah and His Messenger, would have a sin like that of those who acted upon it, without reducing anything from the sins of the people.”⁽²⁾ The same is narrated by At-Tirmithi with a slight variation of wording.⁽³⁾ In this Hadith, he placed the tradition vis-à-vis innovation, thereby it seemed obvious that the good tradition is not innovated.

The same applies to the statement of The Messenger of Allah “peace be upon him”: “Whoever revives my Sunnah has indeed loved me.

The issue is clear in the previous Hadith about the ordained charity. At first, The Messenger of Allah “peace be upon him” commanded that charity be given, until this Ansari man brought his handbag of money, after which the charity was offered in abundance to the point of satisfaction and even more. It seems then as if it were an act of Sunnah (established by the Prophet), which this Ansari man “Allah be pleased with him” revived. It does not mean then to invent a tradition which was not well-established.

Similar to this Hadith is the narration of Ibn Al-Mubarak on the authority of Huthaifah “Allah be pleased with him” in which he said: During the lifetime of The Messenger of Allah “peace be upon him”, a beggar stood and begged the people, but they kept silent. Then, a man gave him first, and the people started to give after him. On that The Messenger of Allah “peace be upon him” said: “Whoever enacts good in which the people copy his conduct, will receive a reward for it, and the rewards of those to follow him, and this will reduce nothing from theirs; and whoever enacts evil, in which the people copy his conduct, will bear its burden, and the burdens of those to follow him, and

(1) Sahih Muslim, Hadith no. 69[1017]; Ahmad in Al-Musnad, 4:359.

(2) It is narrated on the authority of Kathir Ibn ‘Abdullah Al-Muzni from his father from his grandfather. [Kitab Al-Bida’ by Ibn Waddah 1:97].

(3) At-Tirmithi, Hadith no. 2817; Ibn Majah, Hadith no. 210.

this will reduce nothing from theirs.”⁽¹⁾

His saying then ‘whoever lays the foundation of a tradition’ means, ‘whoever acts upon a tradition’, rather than ‘whoever invents a tradition’.

The other is that his statement ‘whoever lays the foundation of a good or bad tradition’ could not be construed as invention, in principal, since its being good or bad could be known only on the light of the Divine law. That is because to appreciate or depreciate a thing is the duty of the Divine law, and the mind has nothing to do in this, as is the opinion of the established community of Sunnah. It is only the religious innovators who adopt the principle of reason-based appreciation and depreciation.

This requires that the tradition should be either good, according to the Divine law, which applies only to the mentioned charity, and its like of the ordained acts of Sunnah, or bad such as the sins proven to be sins by the Divine law, like the murdering referred to by the Hadith of the son of Adam, in which The Messenger of Allah “peace be upon him” said: “That is because he was the first to lay the foundation of murdering”, and the religious innovations proven to be condemned and forbidden by the Divine law, as has previously been mentioned.

As for his statement ‘and whoever innovates a religious heresy’, it should be construed within its apparent context, since the occasion on which the Hadith was said put no restriction on it. It is just like the general principles for which no reasons are proven.

It is right also to apply the same construal to his other saying ‘and whoever lays the foundation of a bad tradition’, which gives the meaning of invention. It includes what is principally invented, of sins like the tradition of murdering first invented by the son of Adam, or what is invented by state, i.e. the bad traditions which had been forgotten and abandoned, before they were stimulated by the work of the one who acted upon them.

Thus, the Hadith, by virtue of its wording, and explanation of the other Hadiths, turned to be an argument against the religious innovators, all perfect praise be to Allah Almighty.

As for his statement ‘and whoever innovates a religious heresy’, that the religious innovation is limited to heresy may add a restriction to it. but even, the matter is very easy. That is because there is in fact no restriction to be understood by that addition. Therefore, if we adopt the opinion that there is a restriction, as stated by some scholars of principles of Religion, the proof indicates that in this very case, the restriction is idle. It is just like the case in which the evidence indicates that the restriction is inoperative concerning the prohibition of usury, no matter much or little it might be, in Allah’s saying: {O

(1) Ibn Al-Mubarak in Az-Zuhd, 513, Hadith no. 1462; Al-Haithami, 1:167; Al-Bukhari and Muslim on the authority of Abu Hurairah; Muslim and At-Tirmithi on the authority of Jarir Ibn ‘Abdullah; Ahmad, 5:287, 2:520, 521; Ibn Majah, Hadith no. 204.

you who believe! devour not Usury, doubled and multiplied; but fear Allah; that you may (really) prosper.} [Al 'Imran 130] furthermore, it is well-known that heresy is always concomitant to the religious innovation in general, according to the above-mentioned proofs. Thus, the idea of the restriction is pointless here too.

In reply to the second point, let us say that all that is mentioned in this respect belong to the consideration of public interest in matters which were not specifically addressed by Islamic texts, rather than to the new religious innovations. The consideration of public interest in matters which were not specifically addressed by Islamic texts, had been observed by the righteous predecessors, beginning from the Companions "Allah be pleased with them" and those who came after them. This is among the well-established fundamentals of jurisprudence in the sight of the scholars of religious principles, regardless of their difference over it.

The collection of the Qur'an in one Mus'haf, and coercing the people to abide by it only apart from any other versions, really belongs to this category. The Holy Qur'an was revealed in seven modes of recitation, each of which is satisfactory and comprehensive, in order to make it easy upon the Arabs of different dialects, to read it. the benefit of this was apparent.

But after the death of The Messenger of Allah "peace be upon him", there was fear that to leave it permissible might, most likely, open the gate of disputes over the Holy Qur'an. They indeed differed over the recitation, as we will see later, Allah willing. The Companions "Allah be pleased with them" felt afraid of the dispute of the Muslim ummah over the fountainhead of the religion, thereupon compelled the people to abide by what was affirmed of these modes of recitation in the Mus'hafs written during the era of 'Uthman "Allah be pleased with him", and leave all the other versions, given that what they left is included in what they affirmed in the Mus'hafs of 'Uthman, since they are but various modes of recitation in which the Qur'an is read.

Then, they adjusted it by the form-citation, when the Arabic language became corrupt, by the emergence of the non-Arabs who embraced Islam, for fear this would open another gate of corruption, i.e. that the atheists would insert in the Qur'an, or in its modes of recitation, things that are not a part of it, and seek the aid of this to publicize their atheism. Do you not see that when they failed to enter through this gate, they entered through the gate of interpretation and false claims about the meanings of the Qur'an? This also will be mentioned, in detail, later, Allah willing.

That explains to what extent the Companions of The Messenger of Allah "peace be upon him" were right in their work, which, ultimately, has a supportive fundamental origin in general, i.e. the command to convey the Divine law, which is indisputable, in application of the statement of Allah Almighty: **{O Apostle! proclaim the (Message) which has been sent to you from your Lord. If you did not, you would not have fulfilled and**

proclaimed His Mission.} [Al-Ma'idah 67] Of course, this command includes his ummah. This is also confirmed by the Hadith in which the Messenger of Allah "peace be upon him" says: "It is incumbent upon the attendant among you to report (the message) to the absent."⁽¹⁾

As well as the reporting could be achieved in any way available, such as memorization, dictation and writing, the same applies to conservation from distortion and deviation, as long as this does not invalidate the origin, just like the issue of the Mus'haf. That is why it gained the consensus of the righteous predecessors.

Anything other than the Mus'haf is easier. Writing knowledge is proven to be valid in the Sunnah. It is related in an authentic narration that The Messenger of Allah "peace be upon him" said: "Write a document for Abu Shah."⁽²⁾ It is further narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: "No one from among the Companions of The Messenger of Allah "peace be upon him" has more narrations from The Messenger of Allah "peace be upon him" than me, save 'Abdullah Ibn 'Amr, for he used to write whereas I did not."⁽³⁾

It is also mentioned by the composers of biographies and history that The Messenger of Allah "peace be upon him" had scribes to write for him the Divine revelation and anything else, including 'Uthman, 'Ali, Mu'awiyah, Al-Mughirah Ibn Shu'bah, Ubai Ibn Ka'b, Zaid Ibn Thabit and others "Allah be pleased with all of them".

Furthermore, if there is shortage of memorization, and fear that knowledge may be lost because of that, writing knowledge then becomes obligatory, as is the case in issue. That is the point referred to by Al-Lakhmi.

Nevertheless, if the issue is related to the dispute over the consideration of public interest in matters which were not specifically addressed by Islamic texts, upon which it is invalid to establish a judgment, according to the opinion of some fundamentalists, the argument could be made upon them by the consensus of the Companions "Allah be pleased with them" on writing the Mus'haf. If it is proven to be considered in one way, it then should be considered absolutely; and the difference remains only over the detailed issues.

The Messenger of Allah "peace be upon him" further said in an authentic Hadith: "I advise you to follow my Sunnah, and the tradition of the rightly-guided well-directed successors (of me), to which you should stick firmly and show constant patience on; and I further warn you of the religious innovations (which have no reference in Allah's Book and the Sunnah of His Messenger

(1) Al-Bukhari, Hadith no. 67, 1741, 1832, 4259, 4406, 7078, 7447; Muslim, Hadith no. 446[1354; At-Tirmithi, Hadith no. 806; An-Nasa'i, 5:111; Ibn Majah, 233; Abu Dawud, 1278; Al-Musnad, 4:31-32, 5:4-5, 6:385, 456.

(2) See Sahih Al-Bukhari, Hadith no. 112, 2302, 2434, 6486, 6880; Muslim, Hadith no. 447[1355]; Abu Dawud, Hadith no. 3649; At-Tirmithi, Hadith no. 2669.

(3) Al-Bukhari, Hadith no. 113; Ibn 'Asakir in his Tarikh, 19:117.

“peace be upon him”), for indeed, every religious innovation is an error.” [At-Tirmithi and Abu Dawud] ⁽¹⁾

The Hadith, as you see, confirms that what was stipulated by the rightly-guided successors should be joined to what was stipulated by The Messenger of Allah “peace be upon him”, because what they stipulated is one of two: to be supported by an evidence taken from Shari‘ah, and that is an act of Sunnah rather than a religious innovation, or not, Allah forbid!

But even, this Hadith provides evidence which confirms that their deed is an act of Sunnah, since it was affirmed by the lawgiver “peace be upon him”, and its evidence from Shari‘ah is also well-established. This means that it is not a religious innovation. That is why he “peace be upon him” forbade us from religious innovations after his advice to follow the rightly-guided successors. Had their deed been a religious innovation, the Hadith then would have been disputable.

By this it could be argued in reply to the question of killing the group in retaliation for one, since it is transmitted from ‘Umar Ibn Al-Khattab "Allah be pleased with him" who is one of the rightly-guided successors.

As for what is related from ‘Umar Ibn ‘Abd-Al-‘Aziz “may Allah have mercy upon him”, I have no evidence that it is proven through any valid way of transmission; and should it be sound, it may go back to the basic rule of the consideration of public interest in matters which were not specifically addressed by Islamic texts, in case we do not claim that it has grounds and origin in the story of the heifer.

If it is proven that the consideration of the public interest in matters which were not specifically addressed by Islamic texts is adopted and put to practice by the righteous predecessors, who, in turn, condemn the religious innovations, and are disassociated from their inventers and perpetrators, this will provide evidence for the fact that the religious innovations are quite different from it. However, this issue will be explicated, in detail, in an independent chapter, Allah willing.

(1) This Hadith is not narrated by Abu Dawud with the same Isnad and wording. But it is rather narrated by Ibn Majah, no. 42.

6.3. A Chapter On Divisions Of Religious Innovations

The scholars have divided the religious innovations according to the main five divisions of Shari'ah rulings, rather than only one condemnable: according to them, they are either obligatory, or recommended, or permissible, or unfavorable, or unlawful. Al-Qarafi explicated this issue satisfactorily, although its fundamental origin goes back to his master Shaykh Al-'Izz Ibn 'Abd-As-Salam "may Allah have mercy upon him". Now, I am quoting it as follows:

"It should be known to you that the companions, as I have investigated, agree on condemnation of all religious innovations. But in fact, the matter needs detail. They are divided into five, as mentioned by Ibn Abu Zaid⁽¹⁾ and others:

The first is obligatory. It implies every religious innovation included under the Shari'ah rules and proofs of obligation, like the writing down of the Qur'an, and the laws of religion if there is fear they would probably be lost, depending upon the principle that it is obligatory, by consensus, to convey the religion to those to come after us, as well as it is unlawful, by consensus, to neglect or indulge in that. For this reason, this kind should not be indisputably obligatory.

The second division is unlawful. It implies every religious innovation included under the Shari'ah rules and proofs of prohibition, like the taxes, the newly invented injustices, and the newly invented practices opposed to the Shari'ah rules, such as giving priority to the ignorant over the learned, and appointing the unfit in the legal offices, by entail, under pretext that the office had previously been occupied by his father, given that the new appointed person is unqualified for it.

The third division is recommended. It implies every religious innovation included under Shari'ah rules and proofs of recommendation. A mention may be made of the Tarawih prayer, making splendid the appearance of Imams, rulers, governors, judges, and men in power in general, differently from that in which the Companions "Allah be pleased with them" were. That is because the Shari'ah benefits and purposes could be achieved only by the magnificence of such men in the sight of the people. However, during the era of the Companions "Allah be pleased with them", the people used to honor them, for the most part, by religion and precedence to migration.

Then, there was imbalance of measures when this (best) generation went

(1) Siyar A'lam An-Nubala', 17:10; Shatharat Ath-Thahab, 3:131.

away, and was succeeded by another generation whose people depended in their honoring upon the appearance more than anything else, which required it to be made splendid, in order for the benefits to be accomplished.

Although ‘Umar Ibn Al-Khattab "Allah be pleased with him" used to eat only barley bread, he, at the same time, imposed half a sheep daily for anyone of his appointed governors, for he knew well that if his appointed officer appeared in the same state of his own, he would be despicable and disrespectful in the sight of the people, who would dare to violate him. For this reason, he needed to make others than him seem, in the sight of the people, in an appearance different from his own, to protect the ordinance.

When he went to Sham, he found that Mu‘awiyah Ibn Abu Sufyan⁽¹⁾ having taken porters, vehicles and splendid clothes, and followed the conduct of kings. He asked him about that, thereupon he said to him: “O Commander of Believers! We are in a land where all of this is needed.” He said: “I do neither command you nor forbid you to do so.” That is, you know better whether or not you are in need for it. this indicates that the states of the Imams, rulers and men in power differ by the difference of regions, generations and conditions. In every time and place, there is a need for renewal of adornments and policies, which were, anyway, old, and may have existed under some circumstances.

The fourth divisions stands for the unfavorable religious innovations. They are those included under the Shari‘ah rules and evidences of unfavorableness. A typical example is to favor the virtuous days or others with a certain act of worship. For this reason, it is narrated in an authentic Hadith that The Messenger of Allah “peace be upon him” forbade to favor Friday with fasting, and the night prior to it with standing (in prayer apart from all the other days of the week).⁽²⁾

A mention may also be made of increasing in the recommended acts of worship which are numbered. For instance, it is recommended to utter Tasbih, Tahmid and Takbir thirty-three times each after every obligatory prayer. Then, it is unfavorable to increase the number to one hundred each. It is also recommended to give a Sa‘ of foodstuff for Zakat Al-Fitr. Then, it is unfavorable to raise it to ten.

That is because by such increase, you overbid and behave impolitely towards the lawgiver. It is the conduct of the grand men to respect their fixed limits, and to go beyond them is rudeness

It is more forbidden to increase in what is obligatory, for this may give the impression that the increase is included in the obligatory duty. For this reason, it is forbidden by Malik “may Allah have mercy upon him” to join the six fasts of Shawwal (to the fasts of Ramadan) lest they would be thought to be a part

(1) Ash-Shatharat, 1:65; At-Taqrīb, 2:259.

(2) Muslim, Hadith no. 148[1144]; Ahmad in his Musnad, 6:444.

of Ramadan.

It is narrated that a man entered the mosque and he just caught up the first Takbir of the prayer. When The Messenger of Allah “peace be upon him” finished from the prayer and concluded it with the end salutation, the man stood to offer the supererogatory prayer, thereupon ‘Umar Ibn Al-Khattab “Allah be pleased with him” jumped over him and caught hold of his shoulders and quaked him and said: “Sit down! Indeed, nothing has destroyed those who were before us (i.e. the people of Scripture) except that they made no break between their prayers.” The Messenger of Allah “peace be upon him” said: “Might Allah enable the people to attain the truth through you O Ibn Al-Khattab!” [Abu Dawud ⁽¹⁾]

‘Umar “Allah be pleased with him” meant that those who were before us joined the obligatory to the supererogatory prayers, which gave their people the false impression that both are obligatory. That is indeed a change in the religious laws, which is unlawful, by consensus.

The fifth division stands for the permissible religious innovations. They are those included under the Shari‘ah rules and evidences of permissibility. A typical example is to take sifters therewith to sift the baking powder. It is narrated in a tradition that the first thing taken by the people after the death of The Messenger of Allah “peace be upon him” was the sifters therewith to sift the baking powder. That is because since it is permissible to improve and soften living, its means and easy should, consequently, be permissible.

In sum, any religious innovation should be compared against the Shari‘ah rules and proofs, and judged in accordance with whichever of them it is included under. But if they are considered in total, as being religious innovations, regardless of their respective judgments, they should be rendered unfavorable. That is because all good lies in following and imitation (of the righteous predecessors), whereas all evil lies in religious innovation.”

After dividing the judgments pertinent to the religious innovations, he commented: “The right way to know that is to compare the religious innovation against the Shari‘ah rules: if it is included under the rules of obligation, it will be rendered obligatory... however, there are examples for the obligatory religious innovations.

One is to engage in the very things that enable us to understand the speech of Allah Almighty (the Qur’an), and the words of The Messenger of Allah “peace be upon him” (the Prophetic Hadith): it is obligatory, on the basis of the fact that it is obligatory to conserve Shari‘ah.

The second is to memorize the difficult words in the Book and Sunnah.

The third is to write down the fundamentals of jurisprudence.

The fourth is to talk about the evaluation of narrators of Hadith, in order

(1) It is narrated on the authority of Abu Ramthah. See Sunan Abu Dawud, Hadith no. 1007; Ahmad in his Musnad, 5:368.

to distinguish the authentic from the weak.”

Then, he said: “The unlawful religious innovations are many, such as the doctrine of the Anti-Fatalists, the Fatalists, the Murji’ah, and the Mujassimah (who embody the attributes of Allah); and to refute the claims of those belongs to the obligatory religious innovations.”

He said: “There are also many examples for the recommended religious innovations, including the installation of hospices, schools and bridges; every kind of charity which was not known in the first generation; talking about the details and subtleties of Sufism and scholastic debate; and holding of gatherings for attestation of issues, if only the Countenance of Allah Almighty is intended thereby.”

He said: “The examples for the unfavorable religious innovations include adornment of mosques, and decoration of Mus’hafs. As for melodizing the Qur’an in a way that changes the correct Arabic pronunciation of its words, it, more properly, belongs to the unlawful religious innovations.”

He further said: “There are also examples for the permissible religious innovations, such as shaking hands after the Morning and ‘Asr prayers, the expansion in delicious food and drink, fine clothes and comfortable residence, wearing enlarged sleeves, and so.

Some of those are debatable. Some scholars included them under the unfavorable religious innovations, and others included them under the acts of Sunnah which were done during the lifetime of The Messenger of Allah “peace be upon him”, and those who came after him, like seeking refuge with Allah (from Satan), and starting with the Name of Allah in prayer.”

He states that the religious innovations are divided in accordance with the Shari’ah rulings. It is then invalid to construe the proofs of condemnation of religious innovations to be inclusive of all of them in general. Each has its respective judgment according to its division.

In reply to this, let us say that this division, in itself, is invented, and unsupported by any Shari’ah evidence. It is, moreover, debatable. The religious innovation, in essence, is that for which there is no supportive Shari’ah evidence, in Shari’ah texts and rules. If there is an indication in Shari’ah of anything’s being obligatory, recommended, or permissible, it would not be regarded a religious innovation at all, and would rather be included under those deeds in which one is either commanded to do, or given the freedom of choice to do. To consider such things religious innovations, although there are Shari’ah proofs for their being obligatory, recommended or permissible is indeed to combine two contradictories.

In regard with the unfavorable and unlawful, they are taken for granted in terms of being only religious innovations and nothing more. If there is an indication that anything is forbidden or unlawful, this will not necessarily require to place it in the religious innovations, since it might be a sin or a crime, like murdering, committing theft, drinking wine, etc. this division is

unimaginable in the religious innovations, save the unfavorable and the unlawful ones as will be mentioned later.

What is mentioned by Al-Qarafi about the disapproval of the religious innovations made by the companions is correct; but his division of them as such is incorrect. It is amazing that he relates the agreement on it, although it is debatable, which nullifies the consensus. He seemed to have followed his mister in this division, with no enough consideration.

Shaykh Al-'Izz Ibn 'Abd-As-Salam included under the religious innovations the public interests to be considered in the matters which were not specifically addressed by Islamic text, regardless of being consistent with the Shari'ah rules. He then made those rules indications of their appreciation: he named them religious innovations on the basis of the lack of indication, and appreciated them on the basis of their consistence with the rules. When he established his notion upon the consideration of those rules, they became equal, in his sight, to the deeds addressed by the specific texts. In this way, he was one of those who adopt the principle of consideration of the interests in the matters not specifically addressed by Islamic texts, which he called religious innovations.

The same was done by 'Umar Ibn Al-Khattab "Allah be pleased with him" when he named the congregational standing (in prayer at night) in Ramadan a religious innovation, as will be mentioned later, Allah willing.

But Al-Qarafi has no excuse to transmit the divisions of religious innovations as such, neither according to the same intent of his mister, nor according to the intent of the majority of scholars. That is because he disagreed with all them in this division, and thus violated the consensus.

We have discussed the division of the obligatory religious innovations; and there is no need to repeat it once again here.

As for the division of the unlawful, it could hardly be described as religious innovations absolutely. All of this is but a violation of what is valid under Shari'ah. It adds nothing, for instance, to the prohibition of devouring the property with no just cause except that it is as compulsory as the Shari'ah rulings, like the imposed Zakah, the estimated spending, as will be explained in its place, Allah willing. That is why it is not correct to describe this division as religious innovations absolutely.

As for the recommended division, it could hardly be called religious innovations. Let us consider the examples given in this respect, esp. the congregational Tarawih prayer in Ramadan in the mosque, which was, anyway, performed by The Messenger of Allah "peace be upon him" in the mosque, and the people then gathered behind him.

It is narrated on the authority of Abu Tharr "Allah be pleased with him" that he said: We observed the fasts of Ramadan with the Messenger of Allah "peace be upon him", and he did not stand (in prayer) with us on any (night) of it until it remained only seven (nights of it), when he stood (in prayer) with

us on the seventh night (to its conclusion, i.e. the first of those seven) till about one-third the night elapsed. Then when it was the sixth night (to its conclusion, i.e. the second of the remaining seven) he did not stand (in prayer with us); and when it was the fifth night (to its conclusion) he stood (in prayer) with us until about half the night passed. We said to him: “O Messenger of Allah! Would that you lead us in the supererogatory prayer for the remaining portion of this night of ours!” on that the Messenger of Allah “peace be upon him” said: “If one stands (in supererogatory prayer) with the imam until he (finishes and) turns away, it will be equal (in reward) to standing (in prayer) for the whole night.” When it was the fourth (night to the conclusion of the month), he did not stand (in prayer) on it; and when it was the third (night), he gathered his wives and family, and the people assembled (in the mosque); and he kept standing with us (in prayer so much long) that we felt afraid we would miss *Falah* (prosperity). It was said (to Abu Tharr): “What is *Falah*?” He said: “It refers to *Suhur* (night meal taken a short time before dawn whenever one intends to observe fast).” Then, he did not stand (in prayer) with us for the remaining of the month. [Abu Dawud and At-Tirmithi⁽¹⁾]

But, at the same time, when The Messenger of Allah “peace be upon him” felt afraid this (congregational prayer of *Tarawih* in the mosque) would probably be made compulsory upon his ummah, he abstained from it.

It is narrated in an authentic Hadith on the authority of ‘A’ishah “Allah be pleased with her” that the Messenger of Allah “peace be upon him” offered the night (supererogatory) prayer in the mosque, and some people prayed behind him. When he offered prayer on the coming night, the people who came to pray behind him increased. On the third or the fourth night, a multitude of people assembled, but the Messenger of Allah “peace be upon him” did not come out to lead the prayer. In the morning he said to them: “No doubt, I saw what you had done; and nothing prevented me from coming out to lead the prayer but for fear it (the night supererogatory prayer) would be enjoined upon you.” This was in the month of Ramadan.⁽²⁾

It seems, from the reflection on this Hadith, that it is an act of Sunnah. That he “peace be upon him” led them in prayer at first provides evidence for the validity of standing in congregational prayer in the mosque in Ramadan, and that he “peace be upon him” refrained from standing afterwards, for fear this would probably be enjoined upon them, does not indicate to his absolute abstention, for his time was a time of Divine revelation and legislation, and if the people acted upon that standing in this way, it might be revealed to him that it became binding upon them to do it. but when the legislation rationale disappeared by the death of The Messenger of Allah “peace be upon him”, the

(1) Sunan Abu Dawud, Hadith no. 1375; Sunan At-Tirmithi, Hadith no. 803; An-Nasa’I, Hadith no. 1365, 1606; Ibn Majah, Hadith no. 1327; Ad-Darimi, Hadith no. 1777.

(2) Al-Bukhari, Hadith no. 2012; Muslim, Hadith no. 761; Sunan Abu Dawud, Hadith no. 1373; An-Nasa’I, Hadith no. 1605; Ahmad in Al-Musnad, 6:177, 232.

matter reverted to its origin; and since it is proven to be permissible, it could not be abrogated.

That Abu Bakr "Allah be pleased with him" did not stand (in prayer) with the people afterwards may go back to one of two probable causes: it may be that he thought that the people's standing (in prayer) towards the end of the night is better for them than gathering them on one Imam in the beginning of the night, as stated by At-Tartushi. It may also be that the time of his caliphate was too short to enable him to consider those detailed issues, and he was wholehearted engaged in fighting the apostates, and in other serious matters which were more significant than the Tarawih prayer.

But when Islam became strong enough during the caliphate of 'Umar "Allah be pleased with him", and he saw the people in the mosque praying in different groups, he said: "Should I gather the people on one reciter (Imam), it would be better." When this was done for him, he notified that their standing (in prayer) towards the end of the night is better for them. Then, the righteous predecessors agreed on its legality and validation; and the ummah never gathers unanimously on falsehood.

Furthermore, the fundamentalists state that consensus is valid only when it depends on a Shari'ah evidence.

Therefore, it may be said that 'Umar "Allah be pleased with him" called it a religious innovation, and appreciated it by saying: "How excellent is this religious innovation!" however, if a religious innovation is proven to be appreciated, this affirms the principle of appreciation in the religious innovations absolutely.

In reply to this, let me say that he called it a religious innovation in observation of the apparent state, and not in terms of being a religious innovation in itself: in other words, it was left by The Messenger of Allah "peace be upon him", and, by chance, did not occur during the lifetime of Abu Bakr "Allah be pleased with him".

So, whoever names it a religious innovation by that consideration, there will be nothing wrong about the principal concept. At that point, it is impermissible to take it as evidence for the possible innovation in religion in the sense in issue, since this is to distort words from their proper meanings.

It is narrated on the authority of 'A'ishah "Allah be pleased with her" that she said: "In many cases, The Messenger of Allah "peace be upon him" left a deed which he liked to do, lest the people would act upon it, thereupon it would be enjoined upon them."⁽¹⁾

The Messenger of Allah "peace be upon him" forbade Wisal (to observe fast uninterruptedly without breaking one's fast in the evening or eating before the following dawn).⁽²⁾ He himself did it and said in comment on that: "I am

(1) Al-Bukhari, Hadith no. 1128.

(2) Fath Al-Bari, 4:238.

not like any of you, for I am given food and drink by my Lord Almighty during the night."⁽¹⁾ But even, the people practiced Wisal after him, due to their knowledge about the rationale for forbiddance, as will be explicated in detail later, Allah willing.

Among the examples mentioned by Al-Qarafi is to make splendid the appearance of the Imams and judges, and their likes. No doubt, it is by no means a religious innovation.

First of all, to smarten one's appearance is required for men of authority and high positions. The Messenger of Allah "peace be upon him" had a suite which he used to put on to meet the delegations. The rationale, as mentioned by Al-Qarafi, is to be more awesome and impressive in the sight of the people. The same applies to making splendid one's appearance to meet the great men, as related in the Hadith of Ashajj 'Abd-Al-Qais.

Second: if it is admitted that there is no proof for it, it then belongs to the consideration of public interests in the matters not specifically addressed by Islamic text, which, as we have mentioned, is well-established in Shari'ah. That 'Umar "Allah be pleased with him" used to eat the barley bread and imposed for his appointed officer half a sheep daily does neither confirm nor negate making splendid the appearance of the ruler: he imposed to him what satisfied his need, otherwise, half a sheep for some appointed officers might not be sufficient, due to the number of dependents, guests, and all needs of clothes, vehicles, and so. It is similar, in meaning, to eating the barley bread. Furthermore, it goes back to what is eaten or drunk, in which there is no beautification of appearance before the people.

As for his statement "In every time and place, there is a need for renewal of adornments and policies, which were, anyway, old, and may have existed under some circumstances", it is short of meditation and reflection, as it contradicts his saying in the end of the chapter: "All good lies in following, and all evil lies in innovation (in religion)." This means that the innovation (in religion) is evil entirely, and this is inconsistent with saying that some innovations are obligatory. He mentioned that a religious innovation may be binding, which makes it compulsory to act upon it. but, at the same time, its disappearance ensures that there is no evil. In this way, there is a command to do it, and another (opposing) command to leave it, and both are inseparable. Therefore, renewal of adornments is a clear wrong. If policies are supported by Shari'ah proofs, they will not be religious innovations at all. If they are defiant of Shari'ah, then, how should they be recommended? That is indeed the issue of disputes among the people.

As for the unfavorable, he mentioned things which are indisputably religious innovations in total, or precautions taken to fix the mere acts of

(1) Al-Bukhari, Hadith no. 1922, 1961-67, 6851, 7299; Muslim, Hadith no. 1102; At-Tirmithi, Hadith no. 778; Ad-Darimi, Hadith no. 1703, 1704; Ahmad in Al-Musnad, 3:8, 6:126.

worship against increase or reduction. That is right, since any increase in or reduction from them is disapproved religious innovations. So, their states and means should be used as precautions to support forbiddance.

In the permissible division, he mentioned the use of sifters, which belongs to enjoyment rather than the permissible religious innovations. It is not said about the one who enjoys of anything that he has innovated it. It goes back, if considered, to the extravagance in food, since extravagance lies in the quality as well as in quantity. The use of sifters does not go beyond both kinds. If he spends extravagantly out of his own property, it may be unfavorable, although the basic rule is to get it.

It is narrated by traditionalists that four were the first things to be invented by the people (after the death of The Messenger of Allah “peace be upon him”): the use of sifters, eating to the point of satiety, washing hands with soap after food, and eating on tables. All of this, if proven by transmission, is not a religious innovation. It belongs to another thing, (i.e. luxury and extravagance); and even if it is a religious innovation, it could not be rendered permissible at all. It is rather error and forbidden.

As for the opinion of Al-‘Izz Ibn ‘Abd-As-Salam, it is as we have seen earlier. The obligatory examples are those things, without which the obligatory would be incomplete. It is not requisite to be practiced by the righteous predecessors, nor to have grounds in Shari‘ah, under pretext that it belongs to the consideration of public interests in the matters which were not specifically addressed by Islamic text and not to religious innovations.

Concerning the former, if a pilgrim is supposed to go to Mecca flying in the air or walking on the water, to perform the obligation of Hajj, he will not be considered a religious innovator, since his intent is to go to Mecca to perform the obligation of Hajj, which has been done perfectly.

Therefore, those things have been condemned, and regarded by some early composers of Sufism as religious innovations newly invented by the people. but this is not right. In reply to those, the consensus of the people on those things before the emergence of these composers is sufficient.

But it is related from Al-Qasim Ibn Mukhimirah that a mention was made to him of the Arabic grammar, thereupon he said: “It begins with arrogance and ends with transgression.” It is also related from a righteous predecessor that he said: “The learning of grammar deprives the heart of submissiveness, and whoever likes to look down upon all the people, let him learn the grammar.”

But in all of this, there is no proof for condemnation, because grammar, for instance, is not condemned as being a religious innovation, but as a means to gain an additional (bad) attribute, just as the evil learned scholars are condemned, not for the sake of their knowledge in so much as for the sake of the evil characteristics they gain because of it. of course, this does not require to regard knowledge itself a religious innovation.

To name a science therewith a bad thing is gained a religious innovation is always allegoric, either because the need for it comes later, or there is no knowledge about the essence of the religious innovations. Some Shari'ah sciences are acquired by persons who may become arrogant or haughty. But even, this does not return with condemnation upon those sciences.

It is related by those Sufis from some later scholars that they said: "The sciences are nine, four of which belong to the famous Sunnah, practiced by the Companions and their followers, and five newly invented, which were unknown in the early time. The famous four are the science of faith, the science of Qur'an, the science of tradition, and the science of fatwa. The newly invented five are grammar, prosody, the science of analogism, the science of debate in jurisprudence, and scholastic theology."

This, if correctly transmitted, is not right as was said. It is related by the scholars of Arabic from Abu Al-Aswad Ad-Du'ali that it was 'Ali Ibn Abu Talib "Allah be pleased with him" who suggested to him to write something in grammar, when he heard a Bedouin reciting a Quranic Verse [At-Tawbah 3] with a grammatical mistake according to which Allah is disassociated from the polytheists and from His Messenger, (although the correct recitation requires that Allah and His Messenger both are disassociated from the polytheists).

It is further narrated on the authority of Ibn Abu Mulaikah that 'Umar Ibn Al-Khattab "Allah be pleased with him" commanded that no one but a learned in language should recite the Qur'an, and commanded Abu Al-Aswad who put the rules of grammar. However, prosody is like grammar.

Since this suggestion came from one of the rightly-guided caliphs, then, grammar and prosody should become out of the Sunnah of the rightly-guided caliphs. But even if it is not so, the rule of consideration of public interests in the matters which were not specifically addressed by Islamic texts implies all sciences of Arabic, i.e. which are valid under Shari'ah, like writing down the Mus'haf and laws. It is worthy mentioning that Al-Qasim Ibn Mukhimirah had retracted from his opinion we have previously mentioned.

Ahmad Ibn Yahya Tha'lab said: One of the Imams in religion used to criticize grammar and say about it: "Learning it occupies the learner at first, and in the end leads him, after becoming a scholar, to disdain all the people." One day, he read a Quranic Verse [Fatir 28] in which he committed a grammatical mistake that made Allah Almighty fear the learned from among His servants (although it is the learned among His servants who fear Allah most). It was said to him: "You have then disbelieved from wherever you know not. You have made Allah Almighty feel afraid of the learned scholars (although it is the learned scholars who fear Allah Almighty, according to the correct recitation)." On that he said: "I never criticize a science which leads to the knowledge (about the Book of Allah)." According to 'Uthman Ibn Sa'eed Ad-Dani, the Imam referred to by Ahmad Ibn Yahya is Al-Qasim Ibn Mukhimirah.

It is further narrated that there was debate between ‘Abdullah Ibn Abu Ishaq and Muhammad Ibn Sirin, who used to defame the grammarians. One day, they gathered together in a funeral procession, in which Ibn Sirin read a Quranic Verse [Fatir 28] in which he committed a grammatical mistake that made Allah Almighty fear the learned from among His servants (although it is the learned among His servants who fear Allah most). Ibn Abu Ishaq said to him: “You have then disbelieved, O Abu Bakr! Do you disapprove of those (grammarians) who establish the Book of Allah?” on that Ibn Sirin said: “If I committed a mistake, I then ask for Allah’s forgiveness.”

As for the science of analogism, its origin is in the Sunnah, and was put to practice by the righteous predecessors. Then, many narrations were handed down in condemnation of analogism, which they construed to be the invalid analogism.

The righteous predecessors used to gather together and conclude consensus, by way of cooperation, in consideration of the public interests in the matters which are not specifically addressed by Islamic text, in order to elicit the truth. It belongs to the cooperation in righteousness and piety, and the consultation commanded by the lawgiver. Both cooperation and consultation are commanded by the lawgiver.

The science of scholastic theology has also its origin in the Book and the Sunnah. That is because Allah Almighty established His argument upon the opponents of His religion with the reasoning-dependent proofs, such as His saying: **{If there were, in the heavens and the earth, other gods besides Allah, there would have been confusion in both! But glory to Allah, the Lord of the Throne: (High is He) above what they attribute to Him!}** [Al-Anbiya’ 22] and: **{Are there any of your (false) "Partners" who can do any single one of these things?}** [Ar-Rum 40] and: **{Show me what it is they have created in the (wide) earth. Or have they a share in the heavens?"}** [Fatir 40] He also related the argumentation of Abraham “peace be upon him” with the disbelievers, saying: **{When the night covered him over, he saw a star: he said: "This is my Lord." But when it set, he said: "I love not those that set."}** [Al-An’am 76]

It is narrated in a Hadith that A Bedouin stood up and said: "Then what about my camels? They are like deer on the sand, but when a mangy camel comes and mixes with them, they all get infected with mange." The Prophet "peace be upon him" said: "Then who conveyed the (mange) disease to the first one?"⁽¹⁾

There are more proofs. Then, how should it be described as one of the religious innovations?

As for the argument of ‘Izz Ad-Din that “The refutation of the claims of

(1) Al-Bukhari, Hadith no. 5717, 5770; Muslim, Hadith no. 2220; Abu Dawud, Hadith no. 3911.

the Anti-Fatalists, and others like them from among the religious innovators, is one of the obligatory religious innovations' is not on the clear way; and even if it is sound, it belongs to the consideration of the public interests in the matters which were not specifically addressed by Islamic text.

The examples for the prohibited religious innovations are apparent.

As for the examples of the recommended religious innovations, he mentioned, from among them, the foundation of hospices and schools. If, by hospices, it is intended the houses and palaces built for the soldiers to keep stationed for guard in them, there is no doubt that they will be valid, under Shari'ah, according to the Shari'ah-based validity of remaining stationed for guard, in which there is no religious innovation. But if, by such hospices, it is intended those to be built for residence, for the purpose of living in seclusion for worship, it is not unlikely that this may or may not have a fundamental origin in Shari'ah, esp. according to the pretense of these sect, the foundation of hospices to be built for the sake of religiousness, for those who seclude themselves to worship, and attached to endowments assigned to sustain the living of their residents, of food, clothes and so. But if this has no fundamental origin, it will be included under the religious innovations, which are errors, regardless of being permissible or even recommended. But if this has a fundamental origin, it will not be a religious innovation; and it is invalid to include it under the religious innovations.

On the other hand, many among the composers in Sufism who talked about this issue attached themselves to the Suffah companions who were present in the mosque of The Messenger of Allah "peace be upon him". it is those in connection with whom Allah revealed: **{Send not away those who call on their Lord morning and evening, seeking His Face. In naught are you accountable for them, and in naught are they accountable for you, that you should turn them away, and thus be (one) of the unjust.}** [Al-An'am 52] and: **{And keep your soul content with those who call on their Lord morning and evening, seeking His Face.}** [Al-Kahf 28]

In those Quranic Verses, Allah Almighty told that they used to live in seclusion for worship and dedicate themselves to Allah, by supplicating Him sincerely. This indicates that they indeed secluded themselves to the worship of Allah, by supplicating Him just seeking His Countenance, and nothing engaged them from that.

(They argue that) we simply made a Suffah like it, or, at least, similar to it, where those who like to seclude themselves to Allah could gather, adhere to worship, and disengage themselves from this world and its occupations. That is the case of the Awliya' who seclude themselves from the people, and engage in amending their inner selves, and turn their faces towards the truth. They then follow the conduct of the early generation.

This, anyway, could be called innovation under a certain consideration. Therefore, it is, in their sight, an act of Sunnah, and its men followers of the

Sunnah. It is a special way, unique to a certain people. so, when one of them was asked about the specific amount on which Zakah becomes due, he said: "According to your or our juristic school? As for ours, all should be assigned to Allah. As for yours, it is due on such and such property."

All of this is common among many men, without being investigated, nor supported by a Shari'ah evidence, nor being consistent with the states of the Companions and their followers.

But even, this issue should be explicated, in detail, by Allah's will, so that the truth in it would be clear for him who is impartial and does not deceive himself; and with Allah lies success.

When The Messenger of Allah "peace be upon him" immigrated to Medina, migration was due on every believer in Allah who was in Mecca or anywhere else. Some of them succeeded to emigrate with the whole or at least some of his property, and sought its aid when he arrived in Medina in his profession he used to do in Mecca. A mention may be made of Abu Bakr As-Siddik "Allah be pleased with him" who immigrated with all his property, which was five thousand (Dirhams). But others were able to flee only by themselves and failed to take with them anything of their property, thereupon they arrived in Medina with empty hands.

On the other hand, the people of Medina, more often, worked in their gardens and farms with their own hands, which means that anyone else had no share in their work. Some Muhajirs (migrants) were made to share the Ansar in their property, and they represented the majority, as attested from the story of Banu An-Nadir.

It is narrated on the authority of Ibn 'Abbas that he said: "When The Messenger of Allah "peace be upon him" conquered Banu An-Nadir, he said to the Ansar: "If you so like, I could divide it (their land) among the Muhajirs, and you leave your share in it, on condition that the Muhajirs should let you with your houses and property, since they are indeed dependent upon you." They said: "Yes (we do)." The Messenger of Allah "peace be upon him" did accordingly. But he gave both Abu Dujanah⁽¹⁾ and Sahl Ibn Hunaif⁽²⁾, who were mentioned to be poor.

The Muhajirs said also to The Messenger of Allah "peace be upon him": "O Messenger of Allah! We have never seen a people, more giving when they have too much, nor more supporting others when they have too little, than those among whom we have descended and lived, i.e. the Ansar. They have sufficed us the burden of sustenance, and made us share them in their pleasure, to the extent that we feared they would get the whole reward (apart from us)." On that The Messenger of Allah "peace be upon him" said: "No, as long as you supplicate Allah for them, and praise their deed."

(1) Siyar A'lam An-Nubala', 1:243; Al-Jarh Wat-Ta'dil, 4:279.

(2) Siyar A'lam An-Nubala', 2:325; Shatharat Ath-Thahab, 1:48.

Some of them used to pick up the date-stones and grind them and sell it as fodder for the camels, and get his sustenance from this source.

Some of them had no source of sustenance or residence. It is those whom The Messenger of Allah “peace be upon him” gathered in a Suffah, which was in his mosque. It was a shed belonging to him, which they took shelter to, and sat in, having no property nor families. The Messenger of Allah “peace be upon him” urged the people to help them, and do good to them. Abu Hurairah “Allah be pleased with him” described them. He indeed was one of them, and the most well-acquainted with them. He said: “These people of Suffah were the guests of Islam who had no families, nor money, nor anybody to depend upon, and whenever an object of charity was brought to The Prophet “peace be upon him”, he would send it to them and would not take anything from it, and whenever any present was given to him, he used to send some for them and take some of it for himself.”⁽¹⁾ He described them as the guests of Islam, and gave them the same ruling of the guests, as you see. Hospitality, in general, became due. That is because whoever descended in the desert could find no house nor food to buy. The Bedouins, the owners of camels, had no markets to buy from them one needs of food. They also had no inns to take rest in. for this reason, the guest was put under coercion, even though he had property. In this way, it has become due, upon the dwellers of that place, to hospitalize and give him shelter until he departs. If he has no property, he is then more entitled (to get his right of hospitality). The same is true of the men of Suffah: when they had no residence, The Messenger of Allah “peace be upon him” gave them shelter in the mosque, until they could find. But when they found nothing to sustain them, The Prophet “peace be upon him” encouraged the people to help them.

In connection with them, Allah revealed: **{O you who believe! Give of the good things which you have (honorably) earned, and of the fruits of the earth which We have produced for you...for those in need, who, in Allah's cause are restricted (from travel), and cannot move about in the land, seeking (for trade or work): the ignorant man thinks, because of their modesty, that they are free from want. You shall know them by their (unfailing) mark: they beg not importunately from all and sundry, and whatever of good you give, be assured Allah knows it well.}** [Al-Baqarah 267-273] Allah Almighty described them as being prevented and detained, when they intended to take part in Jihad with His Prophet “peace be upon him”, and thus were unable to move about in the land, neither for residence nor for living, as if the enemy had encircled the city: they were neither able to fight in Jihad, so that they would gain from its booty, nor devoted to trade or other occupations, due to their fear of the disbelievers, and

(1) Al-Bukhari, Hadith no. 6452; Ahmad in his Musnad, 5:515; At-Tirmithi, Hadith no. 2477; Ibn ‘Asakir in his Tarikh, 19:111.

weakness in the early days of Islam. Thus, they had no way to get their earnings. In comment on His saying: **{and cannot move about in the land}**, it is said to refer to some people who were afflicted with severe wounds while fighting besides The Messenger of Allah “peace be upon him” thereupon they became chronically diseased.

In connection with them too, the following was revealed: **{(Some part is due) to the indigent Muhajirs, those who were expelled from their homes and their property, while seeking Grace from Allah and (His) Good Pleasure, and aiding Allah and His Messenger: such are indeed the sincere ones.}** [Al-Hashr 8] Do you not see how He described them as being expelled, rather than they set out? It indicates that they did not come out of it (Mecca) willingly: but they set out of it under coercion; and had they found a way to remain in it, of a surety, they would have stayed there. It provides evidence that leaving one’s property, out of his own will, is not intended by the lawgiver (Allah), as confirmed by all Shari’ah proofs. For this reason, The Messenger of Allah “peace be upon him” placed them in the Suffah.

During that time, some of them dedicated themselves to the acquisition of the Qur’an and the Sunnah, like Abu Hurairah “Allah be pleased with him”, who devoted his life to this only. He says in an authentic Hadith: “My emigrant brothers were busy in the market while I used to stick to The Messenger of Allah “peace be upon him”, satisfied with what fills my stomach; so I used to be present when they were absent and I used to remember when they used to forget.”⁽¹⁾

Some of them devoted themselves to the remembrance and worship of Allah Almighty, and the recitation of the Qur’an; and whenever The Messenger of Allah “peace be upon him” set out for a holy battle, they would set out with him; and whenever he stayed at home, they would also stay accordingly, until the world was opened by Allah to The Messenger of Allah “peace be upon him” and the faithful believers, thereupon they turned to be like the other people who had families, residence, and got their earnings. That is because the excuse that detained them in the Suffah had disappeared, and the result was that they returned to the fundamental origin when the accident vanished.

In sum, sitting in the Suffah was not intended in itself, nor was its building for the poor, so that it would be said that this deed is recommended to be done by one who is able to do it. It was also not a Shari’ah requirement so that it might be said that abstention from getting earnings, and leaving one’s property to live in seclusion in the small mosques resemble the state of the men of Suffah. That is the highest rank, since it resembles the men of the Suffah made by The Messenger of Allah “peace be upon him”, whom Allah

(1) Sahih Al-Bukhari, Hadith no. 2047 Tabaqat Ibn Sa’d, 4:330; Ibn ‘Asakir, 19:114; Ath-Thahabi in As-Siyar, 2:595.

Almighty described in the Qur'an saying: **{Send not away those who call on their Lord morning and evening, seeking His Face. In naught are you accountable for them, and in naught are they accountable for you, that you should turn them away, and thus be (one) of the unjust.}** [Al-An'am 52] and: **{And keep your soul content with those who call on their Lord morning and evening, seeking His Face.}** [Al-Kahf 28] That was indeed different from the allegations of those (religious innovators): on the contrary, it was as we have already seen.

Evidence from practice is that what was intended by Suffah did not survive, and neither its men nor anyone else persisted in abidance in it, nor did it remain in force after the death of The Messenger of Allah "peace be upon him". had the lawgiver intended to affirm this state, they would have been more entitled to understand it first, and then establish and stay in it afterwards, engage in it from any other worldly occupation, and renew its features. But they did no attempt in this respect at all. Thus, it is invalid then to imitate the men of Suffah in that meaning, so as to take the small mosques and hospices. Let the successful understand this point well, since it is a pitfall in which one may slip, who does not take his religion from the ancient predecessors, and well-established learned scholars.

Let not the rational think that to abstain from getting one's earnings and abide in the hospices is permissible or even recommended, as being better than any other job. That is not right. No generation in this ummah will be more guided than its first generation. Has the one who is deceived by the work of the late Shaykhs of that sect who claim to belong to Sufism, not been satisfied with the early Sufis? They indeed did take neither a hospice nor a prayer room, nor did they construct a building therewith to imitate the Suffah, to assemble on worship, and disengage from the means of this world. A mention may be made of Al-Fudail Ibn 'Ayad, Ibrahim Ibn Atham, Al-Junaid, Ibrahim Al-Khawas, Al-Harith Al-Muhasibi, Ash-Shibli, and others who had the precedence in this field. Those claimants indeed disagreed with the conduct of The Messenger of Allah "peace be upon him" and the righteous predecessors, as well as the Shaykhs of the way to which they were attributed; and there is no success but with Allah Almighty.

As far as the schools and institutes of religious sciences are concerned, there is no act of worship to be received in them, about which it may be said that this is a religious innovation, except under allegation that it is out of Sunnah not to recite and read knowledge anywhere other than the mosques. But even, that is groundless. During the early time, knowledge used to be transmitted everywhere, be it a mosque or a house, on journey or in residence, or even in the markets. So, if anyone of the people makes a school, intended to address the knowledge students, he indeed does nothing more than prepares for them one of his houses or gardens. So, where is the religious innovation here?

But it may be said that the religious innovation lies in specifying this particular place apart from others (to that school or institute). However, it should be known that the specification here is not based on worship, in so much as an assignment by way of endowment, in the same way as all endowed things are assigned, which means that to specify them is not a religious innovation. the same is true of our issue, unlike the hospices, which are specified, in imitation of the Suffah for the purpose of worship. In other sense, they are based on worship, by intention and usage, to the extent that their residents are different from others in terms of cult, doctrine, uniform and belief.

Concerning the construction of bridges, it goes back to the reparation of roads and removal of difficulties from their followers. Indeed, it has a fundamental origin in the branches of faith, that is, to remove what is harmful from the way.⁽¹⁾ Indeed, it is invalid to regard it a religious innovation, under any circumstance.

As for his statement "...and every kind of charity which was not familiar in the first generation", it is open to detailed discussion. The charity, supposed to be understood from Shari'ah, is or is not restricted by worship. If it is restricted by worship, whose meaning is beyond the reach of mind, it is invalid to act upon it except in that particular way. But if it is not restricted by worship in the foundations of Shari'ah, it should not be described as being not a religious innovation whatsoever, unless it is one of the following three:

The first is to address a Shari'ah foundation, such as the charity to be followed by reminder of generosity and harm, and the charity given by the debtor who is accustomed to takes loans again and again, and their like: in which case, it is a sin.

The second is to abide by doing it in a particular way and no more, so that the ignorant would understand therefrom that it is permissible only in that very way: in which case, the commitment referred to is the religious innovation, and even a condemned religious innovation and an error; and this will be shown later, Allah willing. That is not favorable by all means.

The third is to follow the opinion of the one who thinks that what is reasonable is a condemned religious innovation. Its example is like the one who dislikes sifting the baking powder. According to him, such religious innovation is neither permissible nor favorable. As for Tarawih prayer, it has already been discussed.

As for the talk about the subtleties of Sufism, that is neither a religious innovation absolutely, nor valid under Shari'ah absolutely. It is divided into many things:

Let us first explain what is intended by the term "Sufism", in order for the ruling to hit the concept exactly. Since it is an undetermined matter among the

(1) See Sahih Muslim, Hadith no. 58:35.

later scholars, let us return to what is said by the earlier in this respect.

The term “Sufism”, in their literacy, goes back to two meanings: one of them is to behave in accordance with the high and noble manners, and refrain from all mean and despicable manners. The other is self-annihilation, and survival only for the sake of one’s Lord. By investigation, they could be reduced to the same meaning. But one of them is fit to indicate to the beginning, and the other to the end. Although both are mysticism, the state is necessary for the first, unlike the other. In other words, the first is an obligatory deed, and the other its outcome, thereby, the first represents the outward mysticism, and the other the inward mysticism, and both altogether constitute Sufism.

Being so, no religious innovation lies in talking about Sufism in the first meaning. That is because it goes back to understanding on which the deed is based, and explication of its evils and indications, and how to mend whatever corruption it contains. That understanding is valid, under Shari’ah, and has its roots obvious in the Book and the Sunnah. It could not be described as a religious innovation, except if we describe as religious innovations such branches of jurisprudence as had not been found among the predecessors, like these of payment in advance, hiring, wounds, questions of forgetfulness, retraction from witness, sale on credit, and so.

The scholars do not give the term “religious innovation” to the deduced branches which had not been in the past, no matter how subtle their questions might be. Similarly, the subtle branches of manners, be they outward or inward, should not be called religious innovations. That is because all go back to Shari’ah fundamentals.

As far as the second meaning is concerned, it is of many kinds:

The first goes back to the occurring symptoms entertained by the followers of the path, when the sentimental light of monotheism enter into their hearts, about which they could talk according to the time and state, and what is needed for every symptom, supported by the opinion of the educator Shaykh, and how it is realized by each follower of the path, as is fit for him when encountering a certain symptom, in order that he would remedy him with the suitable Shari’ah duties and Athkar (supplications), or mending his purpose if necessary. The symptom always occurs when there is deficiency in one of the Shari’ah fundamentals, upon which he established his path from the beginning. They say in this connection: “They have been deprived of reach because of their wasting the foundations.”

No religious innovation lies in that, since it goes back to a Shari’ah foundation. It is narrated in an authentic Hadith on the authority of Abu Hurairah "Allah be pleased with him" that he said: some of the Companions of The Prophet “peace be upon him” came to him and said: “O Messenger of Allah! Verily we find in our minds that which every one of us regards too severe to utter.” He (The Prophet) said: “Do you really find it?” They

answered in the affirmative. He commented: "That is the (sign of the) pure faith (which prevents you from accepting such evil suggestions as sowed by Satan in your hearts)." ⁽¹⁾

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: One came to the Messenger of Allah "peace be upon him" and said: "O Messenger of Allah! Anyone of us might find in himself such and such (evil suggestion), and it is better for him to turn into a (burnt piece of) coal than to talk about it." On that the Messenger of Allah "peace be upon him" said: "Allahu Akbar! Allahu Akbar! Allahu Akbar! Praise be to Allah that He has reduced his (Satan's) evil plot to only an evil suggestion." ⁽²⁾

He "peace be upon him" said in another Hadith: "Whoever finds something like this, let him say: 'I have faith in Allah.'" ⁽³⁾

He "peace be upon him", said in a third Hadith narrated on the authority of Ibn 'Abbas "Allah be pleased with them": "If you find in yourself something like that (evil suggestions) say: He is (Allah) the First and the Last, the evident and the Hidden, and He has knowledge of all things." ⁽⁴⁾

The second goes back to the consideration of miraculous signs and supernatural events, and what is related to that, whether or not it is mystic. Those, in themselves, go back either to the soul or to Satan, and their like. Anyway, this consideration is not a religious innovation, as long as no religious innovation lies in consideration of miracles and their conditions, and the difference between the genuine Prophet and the claimant of Prophethood, which belongs to the science of fundamentals: both are subject to the same ruling.

The third goes back to the perceptible which belong to the unseen, the rulings of spiritualism, and the sciences pertinent to the dominion of spirits, the essence of angels, devils, human beings and animals, and their likes. Without doubt, it is a condemned religious innovation to consider that, or talk about it for the purpose of making it a science fit for reflection and acquisition, by learning or exercise. Nothing like this had been among the righteous predecessors. It is, in fact, a philosophical consideration that concerns mainly the philosophers who deviate from the Sunnah, and are regarded among the straying sects. To talk about it then is neither permissible nor recommended.

It is true that the follower of the path could talk about it with the educator, in order that the latter would bring him out of it, and keep him away from its fans, lest the former would, more probably, worship Allah with hesitation, not to mention his deviation from the straight path, if he pays attention to that innovation. The path, in fact, is based on the perfect sincerity,

(1) Muslim, Hadith no. 132; Abu Dawud, Hadith no. 5111; Ibn Hibban in his Sahih, 145-150.

(2) Abu Dawud, Hadith no. 5112; Ibn Hibban in his Sahih, 146-147.

(3) It is narrated on the authority of Abu Hurairah. Muslim, Hadith no. 134.

(4) Abu Dawud, Hadith no. 5510.

and freeing monotheism from paying attentions to the others. To open the gate of talk in this respect disagrees with all of that.

The fourth goes back to the consideration of the real nature of self-annihilation, in terms of getting in it and possessing its characteristics, and preventing the self from any means that could hinder him from what is desired. The self-inclinations become hidden, and circulate with the follower across his different stations, and one could hardly cut them off unless he eliminates them from the root. That is the mentioned self-annihilation.

That is a kind of jurisprudence called the jurisprudence of self-inclinations. It is not a religious innovation, since it belongs to the genre of jurisprudence in general. It goes back to the subtle questions of jurisprudence, and regardless of its subtlety, it addresses the same fact.

There are other divisions, all of which go back either to legal jurisprudence, which is good under Shari'ah, or to a religious innovation which is not legal, and, consequently, unpleasant under Shari'ah. As for polemics, and gathering proofs for attestation, we have previously discussed it in detail.

As for the examples of unfavorable religious innovations, a mention may be made of adorning mosques, decorating Mus'hafs, and melodizing the Qur'an in a way that changes its wording from the correct Arabic pronunciation. If he intended the act itself without being related to anything else, his speech is not admitted. But if he intended the act in relation to the fundamentals of Shari'ah, his statement is correct: that is, the religious innovation is not so unless it is related to that purpose. But in the absence of that purpose, it is only forbidden not regarded a religious innovation.

From among the examples of the permissible religious innovations, he included shaking hands after both Morning and 'Asr prayers. Their being religious innovations is admitted; but their being permissible is unacceptable, since there is no proof in Shari'ah to indicate that this act is unique to those times in particular. They are unfavorable, because there is fear that doing them regularly may lead to joining them to the mentioned prayers, just as Malik feared to observe the six fasts of Shawwal direct after Ramadan, lest they would be regarded a part of it.

Al-Qarafi said: According to Zakiyy Ad-Din 'Abd-Al-'Azim⁽¹⁾, "The thing which Malik "may Allah have mercy upon him" feared had taken place in the non-Arab countries, who left the Musahhirs and trumpet blowers on their habits, and the same rites of Ramadan until the end of the six fasts of Shawwal, and it was not before this that they would shift to the rites of the 'Eed.

It also became common among the laymen of Egypt that the Morning Prayer consists of two rak'ahs, except on Friday, on which the prayer is three. That is because they saw the Imam reciting Surat As-Sajdah regularly on Friday Morning, in which he would prostrate, thereupon they thought it a third

(1) Siyar A'lam An-Nubala', 23:319.

obligatory rak'ah.

However, it is binding in religion to eliminate such means which lead to unfavorable results. Malik "may Allah have mercy upon him" followed a very strict approach in eliminating such means.

Ibn 'Abd-As-Salam regarded among the permissible religious innovations to be extensive in the pleasures; and we have already mentioned it in detail.

In sum, the religious innovations are not divided into such divisions. They belong to what is forbidden, whether by way of unfavorableness or prohibition, as will be discussed later, Allah willing.

7.3. A Chapter on Further Discussion about Sufis

Pertinent to this is that some ostentatious persons argue that the Sufis are famous for their following the Sunnah, copying the acts and behaviors of the righteous predecessors; and in all of their words and deeds, they adamantly imitate the tradition, and refrain from anything disagreeing with it. For this reason, they established their way on the principle of eating the lawful, and imitating Sunnah sincerely.

That is indeed the right in which there is no doubt. But, meanwhile, in many cases, they appreciate things which have not been brought in the Book or in the Sunnah, nor acted upon by the righteous predecessors. They act upon those appreciated things adamantly, behave in accordance with them, and, perhaps, enforce them in some cases, given that they make it invalid to establish anything on concession, if there is any.

For instance, in many judgments, they depend only on revelation (Kashf) and preview (Mu'ayanah), and supernatural acts, by which they judge things to be lawful and unlawful, on which they decide their participation and abstention. It is related, for example, from Al-Muhasibi that whenever he got food in which there is suspicion, a vein in his finger would pulsate, and thereupon he would abstain from it.

According to Ash-Shibli⁽¹⁾: "For some time, I thought I did not eat but from lawful sources. Once, I was wandering in the desert when I stretched my hand to get something from a tree of fig I saw in front of me, thereupon it called me: "Safeguard your pledge (to eat only from lawful sources), and do not eat from me, since I belong to a Jew.""

Ibrahim Al-Khawwas "may Allah have mercy upon him" said: "Once, I entered a dumps on the way of Mecca at night and behold! There was a very huge wild animal, of which I felt afraid. But even, a visitant addressed me saying: "Keep firm, since there are seventy thousand angels surrounding you, whose mission is to safeguard you."

Of course, we could not establish any judgments on such things, when reviewed from the perspective of the rules of Shari'ah. By no means could a revelation, an unknown visitant or even the motion of a vein indicate to rendering things lawful or unlawful, otherwise, if a judge is present to see that, it becomes incumbent upon him, or at least recommended, for instance, to pass his judgment on seeing the motion of the hand of somebody in favor or against the claimant from among all the present hands; and if a visitant says that so and so has murdered the killed person, or that so and so committed

(1) Siyar A'lam An-Nubala', 15:367; Shatharat Ath-Thahab, 2:338.

theft or adultery, it becomes then incumbent upon him to act upon his claim, and make him a witness to some judgments. Therefore, that is not effective in Shari'ah.

For this reason, the religious scholars say that if a Prophet claims that he is a Messenger, saying (by way of challenge to affirm his Prophethood): "If I invite this tree to talk to me, it would do accordingly", and then he invites it, thereupon it comes and talks to him saying: "You are a liar", this would be taken as evidence for his truth rather than for his falsehood. That is because he has challenged the people to do a thing which he did just according to his claim. But that the tree's speech gives trust or even lie to him is irrelevant to his claim, on which no judgment should be established.

Similarly, if we suppose that the contraction of a vein always occurs whenever the food is unlawful, this should not provide evidence on which a judgment could be established to abstain from it, unless there is a Shari'ah-considered proof for that.

The same applies to the case of Al-Khawas: it is valid, under Shari'ah, to safeguard oneself from anything that may lead to destruction; and if one otherwise does, he would then behave in opposition to what is valid under Shari'ah, which is, anyway, habitual to the men of this way.

The tree's talk to Ash-Shibli is one of the supernatural acts, and it is invalid to establish a judgment on it.

They also establish their way on avoidance of concessions in general. Their Shaykh, Abu Al-Qasim Al-Qushairi, who founded for them this way, says in a Chapter on the Advice for the Followers of the Path in his epistle: "If a follower of the path is confused by the different fatwas of religious scholars, let him act upon what is more precautionous, in avoidance of dispute. However, the concessions in Shari'ah are intended to address the weak, and men of needs and occupations among the people, whereas the main occupation of those, i.e. the Sufis, is only to fulfill the right of Allah Almighty." For this reason, it is said that if one falls from the rank of the truth to the concession of Shari'ah, he then will have repealed his contract, and revoked his pledge with his Lord Almighty.⁽¹⁾

This speech clarifies that they do not act upon concession in the matters in which concession is valid under Shari'ah, in opposition to the conduct of The Messenger of Allah "peace be upon him" and the righteous predecessors, from among the Companions and their followers. It is not good to abide by the original ruling in the matters in which there is concession, regardless of the harm caused by such commitment, about which The Messenger of Allah "peace be upon him" said: "No doubt, Allah likes that His concessions should be acted upon, as well as He likes that His original rulings should be

(1) See Ar-Risalah Al-Qushairiyah, p315.

followed.”⁽¹⁾ It is indeed a religious innovation which they appreciated, to suppress the self from leaning to comfort, and give preference to hard work and mortification.

Al-Qushairi regards one of the essentials to their way that its follower “should leave his property, since it is by this (property) that one may incline from the truth. No one has ever entered this matter, and he is connected with this world, but that his worldly connection brought him back to the same from which he came out...” to the end of his speech in this issue.⁽²⁾ This statement is indeed too difficult to understand within the context of the Shari‘ah phenomena. Let us compare that with the first state, i.e. the state of The Messenger of Allah “peace be upon him”, and his holy Companions “Allah be pleased with them”. He did not order anyone to leave his property, nor a craftsman to abandon his craft, nor a merchant to discard his merchandise, given that they were actually the allies of Allah Almighty, who really sought to follow the way of the truth, and anyone after them would, by no means, attain their position, or get their guidance.

As well as property may engage one in the way from attaining the desired goal, deprivation also may play the same role. By no means would the former be taken into consideration more than the latter. You see then how he made this kind, which had not been common among the righteous predecessors, one of the essentials of following the path. It is newly invented. But it seems so because it has been appreciated by Sufis, since it indicates to almost all of them.

They also argue that it is impermissible for the Shaykh to overlook the slips of the beginners, as this will lead to wasting the rights of Allah Almighty.⁽³⁾ This general negation is refutable under Shari‘ah ruling. Consider what is narrated in a Hadith from The Messenger of Allah “peace be upon him” in which he said: “Pardon those of good characteristics for their slips as long as this does not enforce one of the legal punishments against them.”⁽⁴⁾ Were forgiveness to be invalid, it would disagree with this evidence. There are also many narrations in regard with the merit of forgiveness. Furthermore, Allah Almighty likes kindness, and is pleased with it, and gives for it what He gives not for anything else.⁽⁵⁾ It is out of kindness to overlook others for their

(1) It is narrated by Ibn Hibban on the authority of Ibn ‘Abbas, 1:284, Hadith no. 355; Ahmad in Al-Musnad, 3:108; Al-Baihaqi in As-Sunan Al-Kubra, 3:139.

(2) See Ar-Risalah Al-Qushairiyah, p315.

(3) See Ar-Risalah Al-Qushairiyah, p316.

(4) It is narrated on the authority of ‘A’ishah. See Abu Dawud, Hadith no. 4375; Ibn Hibban, 1:154, no. 94; Al-Baihaqi, 8:267; Al-Musand, 6:181.

(5) He refers to the Hadith narrated on the authority of ‘A’ishah, in which The Messenger of Allah “peace be upon him” says: “No doubt, Allah is kind and He loves kindness. He gives for kindness whatever he does not give for severity. (Moreover, He gives for kindness whatever He) does not give for anything else besides it.” [Muslim, Hadith no. 2593].

mistakes, for any servant, whatsoever, should have slips, and no one is saved except he, whom Allah Almighty saves.

They enjoin upon the beginner to reduce his food, even though gradually rather than all at once, to persist in hunger and fasting, and to abandon marriage as long as he is following the path. Therefore, all of this is problematic in the Islamic law. It is similar to celibacy, which The Messenger of Allah “peace be upon him” rejected from his Companions (who liked to do so). In this connection, he said: “Whoever turns away from my Sunnah is not from me (i.e. is not one of my followers).” ⁽¹⁾

But even, the gradational approach of leaving food is also not familiar to the first and the best generation.

They also enjoined many obligations upon the beginner at the time of listening, such as the non-withdrawal. The beginner has no right to revert to take anything he has left unless his Shaykh permits him to do, in which case, he should take it with the intention of borrowing (and not possession), and afterwards, let him leave it, without aggrieving the Shaykh. ⁽²⁾ They invented many things as such, the like of which were not known in the early time of the first generation. This was the result of the assemblies of listening which they validated.

Listening, in the way of Sufism, does not belong to it: neither principally nor subsequently, nor was it functioned by anyone of the predecessors referred to as being guides to the way of good. But it was acted upon by some philosophers who claimed to imitate the way of Shari‘ah.

Were all the questions included under this section to be chased, they would be so much. What seems apparent from them is that they are but appreciations acted upon after it had not been, given that the people were sticking to Shari‘ah, as you see. Had it not been for the fact that those things pertain to what is validated, they would have been the farthest of the people from them. It indicates that not all religious innovations are condemned: from among them, there are some praised.

In reply to this, let us say, first of all, that everything acted upon by the considerable Sufis may or may not have a fundamental origin in Shari‘ah. If it has a fundamental origin, they are worthy of doing it, just as were the righteous predecessors, from among the Companions and their followers. If it has no fundamental origin in Shari‘ah, then, it should not be acted upon. That is because the Sunnah is an argument upon all the people of this ummah, and the acting of anyone could not be an argument against the Sunnah, which is infallible from mistake, as well as its founder is. The infallibility is not proven

(1) It is narrated by ‘Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

(2) Ar-Risalah Al-Qushairiyah p317.

for anyone of this ummah unless there is consensus among them in particular. Their consensus is established on a Shari'ah, as noted above.

The Sufis, like others, have no infallibility proven for them. Thus, they are apt to mistake, forgetfulness, and even sin, be it major or minor. Their deeds do not go beyond both categories.

It is within this context that the scholars say: "Every speech could be taken or left, except the speech of The Messenger of Allah "peace be upon him"." this matter was best stated by Al-Qushairi in his saying: It may be asked: "Could the Wali (the sincere ally and devotee of Allah) be infallible from committing sins?" The answer is: "there is no obligatory infallibility proven for him as in the case with the Prophets. But it is likely that he may be well-preserved from committing sins, regardless of his slips and errors." He added: It was said to Al-Junaid: "Could the Gnostic slip?" He lowered his head for a moment after which he raised his head and said: "and the command of Allah is a decree determined."⁽¹⁾

This statement is impartially fair. As well as others could possibly commit sins, inventions in religion and other slips could possibly be committed by them too. It is due upon us to refrain from imitating such as not infallible from committing mistakes, if imitating him proves problematic, and imitate only such as infallible from committing mistakes. We should rather compare what is brought by the Imams and scholars against the Book and the Sunnah, and accept only what is approved by both, and rejected what is rejected by both. We also should not care if there is evidence for following Shari'ah, and not for following the statements of the Sufis: that is the counsel of their Shaykhs. All their states, deeds and obligations should be compared against the Book and the Sunnah, and nothing thereof should be accepted unless it is approved by both.

Second: if we consider their concepts, opinions and deeds, by which they were distinguished from others, according to the best assumption we may have of them, and seeking the best ways out for their questions, and could find no way out, then, it becomes incumbent upon us to abstain from imitating or acting upon their things, even though they are among those to be imitated by others, not by way of refutation of, and objection to them, in so much as because we simply do not understand how it should be referred to the Shari'ah rules, as we have understood the other things.

"Do you not see that we refrain from acting upon the Prophetic Hadiths when it is abstruse upon us to understand the jurisprudence related to them? Afterwards, if there appears a possible evidence in support of acting upon them, of course, we should accept them, otherwise, we are not required to do so (without evidence). No harm befalls us if we refrain from acting upon them (without evidence), since we refrain according to guidance, and not because we

(1) Ar-Risalah Al-Qushairiyah, p276.

reject something for the sake of rejection. In this case, it is preferable to refrain from the deed related to them.”

Third: those questions and their likes have come to be disputed with the apparent Shari‘ah. For instance, the words and deeds of the Sufis may be construed to be supported by Shari‘ah evidences, but opposed by other proofs in the transmitted texts, more understandable to the jurists, more obvious to the sights of the Mujtahids, more familiar to what is common among the scholars belonging to various branches of knowledge, and more lucid in the words of the lawgiver than what we thought to be a strong supportive reference.

If the proofs oppose each other, and no one among them has been abrogated, then, it becomes incumbent to give predominance to the strongest of them. This acts as consensus, or almost consensus among the fundamentalists. According to the doctrine of these (Sufis), as well as of others, it is due to act upon what is precautious. Being so, and in accordance with their opinions, it is due not to act upon their concepts and opinions, in case they oppose the Shari‘ah proofs; and even by so doing, we would follow their traces and be guided by their lights, unlike those who turn away from the proofs, and insist on imitating them in the things in which it is invalid for us, according to their doctrine, to imitate them, for the proofs, jurisprudence and the Sufi opinions and concepts reject such as does so, and, meanwhile, appreciate the one who assumes the approach of investigation, precaution and refraining from what is suspicious, thereby saving blameless his religion and honor.

We still have to talk about the very things mentioned in the question, concerning their words habits, and which of them corresponds with the proofs, and how it complies with them. But it is irrelevant to discuss this here, since there is no dire need for it now.

It has become obvious, thanks to Allah, that there is no proof to support their religious innovation, whatsoever.

4. APPROACHES OF RELIGIOUS INNOVATORS TO ATTESTATION

It should be known that anyone who deviates from the Sunnah, and, at the same time, claims to belong to it, and follow its ways, has to force upon himself the difficulty of attesting his cases by its proofs, otherwise, he will be untrue to his claim to belong to it. Moreover, every religious innovator always claims that he is alone the Sunnah applicant apart from the other opposing factions and sects, in such a way that makes him avoid returning to what is imprecise in it; and even in case he does, it becomes incumbent upon him to follow, in attestation, the same approaches adopted by its real men, who are well-acquainted with the speech of the Arabs, and the Shari'ah's universal principles and main purposes. That was the case with the early generation from among the righteous predecessors.

Therefore, those religious innovators, as will be clear later, seem to have not yet attained the rank of the investigators in it, because they are either not well-versed in the speech of the Arabs, nor endued with the knowledge of the main purposes of Shari'ah; or not well-established in the knowledge of the rules of fundamentals on the basis of which the Shari'ah judgments are deduced; or because of both matters together. That is why their approaches to the evidences and proofs rather differ from the approaches of their predecessors from among the investigators in both matters.

Being so, it becomes incumbent to evoke those approaches, in order to beware of them. Let us say:

Allah Almighty says: **{so as for those in whose hearts there is a deviation (from the truth), they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings), but no one knows its hidden meanings save Allah. But those firm in knowledge say, "We believe in it. All [of it] is from our Lord."}** [Al 'Imran 7] This Holy Verse implies two divisions, which provide basis for following the right way or following the wrong way.

One includes these firm in knowledge, i.e. who are well-established in the knowledge of Shari'ah. But since the attainment of this rank is conditional on the acquisition of the two matters previously mentioned., the knowledge of them is necessary, as much as is permitted by the human faculties, in which case, such a person is called one firm or well-established in knowledge, whom the Quranic Verse praises, as being fit for guidance and deduction.

That the men in whose hearts there is a deviation from the truth follow only what is imprecise and not entirely clear thereof, indicates that these firm in knowledge follow only what is precise and entirely clear thereof, which

constitutes the foundation and the most part of the Book.

Every proof, be it general or specific, attested by the foundation and the most part of Shari'ah, is, to be sure, valid, and anything else is invalid, since there is nothing between the valid and the invalid to establish the evidence on it; and had there been anything other than those two, it would have been stated explicitly by the Quranic Verse.

On the other hand, as these in whose hearts there is a deviation from the truth follow only what is imprecise and not entirely clear, it is learnt that these firm and well-established in knowledge do not follow it; and even if they interpret it, they indeed refer it to what is precise, in case it could be construed within the context of what is precise and entirely clear, according to the rules stipulated in this respect. That is indeed the additional, rather than real, imprecise. Since there is, in the Holy Verse, no ruling on it for these firm in knowledge, then, it should be referred to what is precise and entirely clear, which represents the foundation of the Book. But in case they do not interpret it, on the basis of being a real imprecise, they then admit it, and say: "We believe in it. All [of it] is from our Lord." They are those endowed with sound minds.

Furthermore, those in whose hearts there is a deviation from the truth, as mentioned in the Quranic Verse, follow the imprecise and not entirely clear thereby seeking discord,. They thus seek after their inclinations, in order for the discord to take place. They do not investigate the evidence in the same way as an insightful does, who subjugates his inclinations and desires to his mind in judgment, but rather in the way of him who judges according to his inclination and then brings the evidence just as a witness to his judgment.

That this is not characteristic of these firm and well-established in knowledge, means that these in whose heart there is a deviation from the truth are opposed to these firm in knowledge, who admit what is imprecise and not entirely clear, rather than judge in favor of, or against it. That is indeed the attitude of him who seeks for evidence to serve his investigation of the truth, rather than to support his previous inclination.

The other division stands for such as not firm in knowledge. That is the one swerving from the truth. Concerning the proofs, he has two attributes:

One is stated by text, i.e. the deviation from the truth, as mentioned by Allah: **{So as for those in whose hearts there is a deviation (from the truth).}** deviation is to swerve from the right path, for which they are condemned.

The other attribute is by meaning, given to them by the division, i.e. their being not firm in knowledge. Everyone not firm in knowledge is closer to ignorance, because of which he deviates from the truth. That is because if one fails to apply the valid deduction, and follow the proofs to remove some aspects of ignorance, then, it will be impermissible for him to follow the proofs in both the precise and the imprecise as well. If he is supposed to follow only

the precise, this will be of no avail to his judgment, since he may, possibly, do that in very false or at least suspicious way: then, what do you think of him if he follows only the imprecise rather than the precise?

If he follows the imprecise, even by way of guidance, rather than seeking discord thereby, it will not achieve his purpose: then, what do you think of him if he follows it thereby seeking discord? The same applies to following the precise, thereby seeking discord. Many ignorant establish their arguments upon the valid and invalid proofs, and restrict their visions to a particular proof apart from the others, whether they belong to the fundamentals or the branches, which may support or disagree with their opinion.

Some of the knowledge claimants follow this approach, issue fatwa according to it, and act upon it esp. if it serves their own purposes. A mention may be made here of the claim that it is permissible for the ruler to give the army all war spoils they gain as extra reward, according to the argument that whoever overcomes should excel, and not according to a Shari'ah way. They indeed depend, in this argument, upon what is transmitted from some early scholars, that it is permissible to give a military detachment all war spoils it gains. This is attributed to Malik, from whom it is handed down that "Whatever is given by the ruler to the army, as extra reward is permissible." Thus, this statement is taken as a textual evidence for the permissibility of giving the army all the war spoils as extra reward. But this claim does not take heed of the fact that the military detachment is a part of the army, nor of the fact that such extra reward, in the sight of Malik, should be given from one-fifth the booty, in which there is no dispute to be transmitted from him, or from anyone of his companions. What is given by the ruler from this is permissible, as being construed within the context of personal reasoning.

The same applies to every issue, for which inclination is sought, and then evidence is brought to support it, from the words of the religious scholars, or from the Shari'ah proofs, or even from the speech of the Arabs, due to its great flexibility and aptness to various understanding. But those firm in knowledge know well it entirely.

Whoever does not take it into consideration entirely, from its beginning to its end, and rather satisfies himself with that on which he establishes his claims, will, inevitably, slip in his understanding. His state is like that of him who takes evidence from the ends of the Shari'ah statement separately, rather than looks at all its parts in combination. That is not characteristic of those firm in knowledge in so much as of the one who is hasty in seeking a way out to support his claim.

It has then become clear, from the Quranic Verse, that the deviation from the truth is not characteristic of these firm in knowledge, by agreement, as well as the deviation from the truth could, by no means, be intended by those firm in knowledge at all.

1.4. A Chapter on another Concept

Once this is proven, we could then move therefrom to another concept. Let us say: these firm in knowledge have a way to follow in seeking the truth, and the way adopted by those swerving from the truth is quite different. So, we need to highlight the way followed by the latter in order to avoid, as well as the way adopted by the former in order to follow, which, anyway, has been clarified amply by the scholars of the fundamentals of jurisprudence, unlike the way of the latter. So, is it possible to enumerate the different approaches adopted by those swerving from the truth?

Here, we should consider another Quranic Verse, pertinent to both those firm in knowledge and those swerving from the truth, I mean Allah's saying: **"And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."** [Al-An'am 153]

It informs us that the way of truth is only one, whereas falsehood has various and even countless ways and paths, as explicated by the related Hadith narrated on the authority of 'Abdullah Ibn Mas'ud "may Allah be pleased with him" that he said: the Messenger of Allah "peace be upon him" drew a line for us and said: "That represents the Way of Allah." Then he drew lines on its right and left sides and said: "Those represent (the other) ways, at each of which stands a devil, inviting to it." Then he recited: **{Verily, this is My straight path: follow it; follow not (other) paths: they will separate you from His (Allah's) Path.}** [Al-An'am 153]

According to the Hadith, they are then various, and even countless lines, which means that they could hardly be enumerated whether through transmitted texts or by way of reason or deduction.

As for reason, it could hardly decide a certain number on the exclusion of others, since deviation from the truth could not be limited to particular phenomena. Do you not see how deviation of the truth goes back to ignorance, whose aspects are unlimited? So, it will be quite pointless to endeavor to enumerate them.

Similarly, deduction in this respect is useless. That is because by considering the ways of religious innovations and how they have developed, we have found out that they have been increasing along days so much that no time comes but that a new strange way of deduction takes place, until those days of ours.

Being so, there may be other attestations and deductions to take place after our time, with which we are unfamiliar, esp. when ignorance will increase,

knowledge will decrease, and the investigators in it will fall short of the rank of Ijtihad. For this reason, they could hardly be enumerated, from this point of view.

Furthermore, it could not be said that they go back to the violation of the way of truth in general, since the violations in themselves are incalculable. This confirms that the pursuit of this issue is very difficult, in which there is no advantage. But, anyway, let us mention some universal aspects as representatives of others.

One of those is that they depend on the weak and groundless Hadiths in which lies are attributed to The Messenger of Allah “peace be upon him”, given that those Hadiths are unacceptable to the scholars of Hadith as foundation to build any judgment or ruling upon it.

It is well-known that the Hasan (good) is joined to the Sahih (authentic) Hadith by the scholars of Hadith and traditionalists, under pretext that no one in its chain of transmitters could be defamed. Their adoption of the Mursal to be joined to the Sahih goes back to the claim that the unmentioned is like the mentioned and valued among the narrators. But nothing less than that should be taken by the scholars of Hadith, whatsoever.

Were the Muslims, in taking the Hadiths, to accept anything to be transmitted from anyone, the science of evaluation of narrators, which has gained the consensus of the scholars, would be then of no significance, and seeking after Isnad (chain of narrators and transmitters), which they have made a part of religion would be of no use.

Anyone indeed does not say that ‘I was reported by so and so, who related it from so and so’ etc, only because he wants to confirm their knowledge of those men from whom he narrates,, in order to avoid relating from an unidentified, or a defamed, rather than those who are reliable in their narration. The point is to be close to certainty that this Hadith, without doubt, was indeed said by The Messenger of Allah “peace be upon him”, to depend upon it in Shari’ah, and attribute the judgments and rulings to it.

In case of The weak Hadith, we could hardly be almost certain that it was said by The Messenger of Allah “peace be upon him”, which makes it impossible for us to establish any judgment or ruling upon it. Being so, then, what do you think of the Hadiths recognized for being lies attributed to him “peace be upon him”? It is only the followed inclination which accounts for their acceptance.

That is so in case this Hadith does not contradict anyone of the Shari’ah principles. But if it does, then, it should not rather be accepted, since it will contribute in the destruction of one of the principles of religion. There is indeed a consensus among the scholars to reject such a Hadith, even if it seems apparently authentic, in reference to misunderstanding, or forgetfulness or mistake of some narrators. Then, what do you think of it if it is not authentic?

But even, it is narrated from Ahmad Ibn Hanbal “may Allah have mercy

upon him” that he said: “No doubt, the weak Hadith is better than analogism.” What seems from its apparent context is to act even upon the inauthentic Hadith, to which he gave priority over analogism enforced among the majority of Muslims, and upon which there was consensus among the righteous predecessors "Allah be pleased with them". It indicates that this kind of Hadith then, in his sight, is higher in rank than analogism.

In reply to that, let us say that it is but a statement of a Mujtahid, which might be right or wrong, since it runs short of evidence in support of his claim. Therefore, if it is right, it should be construed differently from its apparent context, since there is consensus among the majority of scholars to discard the weak Hadith. For this reason, this statement should be interpreted to refer to those Hadiths of good Isnad, and their enforcement.

He might, probably, have intended that it is better than analogism which is admitted regardless of the Hadiths. He seems, with this statement, to oppose the one who validates analogism as one of the fundamentals of Shari‘ah, with which he rejects Hadiths. He “may Allah have mercy upon him” was inclined to deny analogism. He said in this respect: “We and the men of independent opinions have continued to invoke curse upon each other until Ash-Shafi‘i came and stood in the middle between us.”

He also might, probably, have intended the invalid analogism which has no grounds in the Book of Allah, or in the Prophetic Sunnah, or even in the consensus of the Muslims, over which he gave preference to the weak Hadith, even though he did not act upon it.

Nevertheless, should the statement of Ahmad be construed according to what seems from its apparent context, it is invalid to rely upon it to oppose the words of the Imams "Allah be pleased with them" in this respect⁽¹⁾.

It may be said that all of this is to refute the claim of the Imams who rely on the Hadiths which do not attain the rank of authenticity. As well as they stated that Isnad should be authentic in the transmitted Hadiths to be validated, they did not put that condition to validate the transmitted Hadiths of exhortation (to do the good deeds) and intimidation (from doing the evil deeds): if it is so, that will be good; otherwise, there will be no blame upon the one who transmits and even relies upon them, as done by Malik in his *Muwatta’*, Ibn Al-Mubarak in his *Raqa’iq*, Ahmad Ibn Hanbal in his *Raqa’iq*, Sufyan in his *Jam’ Al-Khair*, and others. All what is transmitted in those compositions belong to the Hadiths of exhortation and intimidation.

Being so, if it is permissible to validate such Hadiths in this way, then, it

(1) According to Ibn Al-Qayyim “may Allah have mercy upon him”, the weak Hadith, in the sight of Ahmad, is intended to refer neither to the false nor to the rejected one, nor what he himself narrates of them, which makes it unacceptable to act upon. The weak Hadith, in his sight, constitutes the second division along with the authentic, and one kind of the good Hadith. He did not divide the Hadith into authentic, good and weak: but into authentic and weak; and the weak has many ranks. See *A‘lam Al-Muwaqqi‘een*, 1:31.

should be permissible to validate their likes, esp. which rise from them, such as the prayers of Ragha'ib, Al-Mi'raj, the middle night of Sha'ban, the night prior to the first day of Rajab, the prayer of faith, the prayer of the week, the prayer of dutifulness to parents, fasting the day of 'Ashura', Rajab, and its twenty-seventh day, etc, all of which rise from exhortation to do the righteous deed. Prayer, in general, has its foundation well-established in Shari'ah, and so do fasting, standing the night (in prayer). All of this rises from good whose virtue is transmitted in the Hadiths in particular.

Being proven, anything whose virtue is transmitted in the Hadiths belongs to exhortation, in which the witness of the scholars of Hadith to authenticity of Isnad is not requisite, unlike the judgments and rulings.

This means that this kind of attestation is the way of the men who are firm in knowledge rather than those swerving from the truth. That is because they differentiated between the Hadiths of rulings, in which they put the condition that they should be authentic, and the Hadiths of exhortation and intimidation, in which they did not put that condition.

In reply to this, let us say that the indulgence of the scholars in the Hadiths of exhortation and intimidation does not correspond to our supposed question. Any deed in issue should have its foundation, either stated in general and detail, not stated at all, or stated in general rather than in detail.

As for the first division, there is no problem in it, like the obligatory prescribed prayers, and their subsequent supererogatory prayers (whose performance is constant before or after the obligatory prayers), the obligatory fasts, or the fasts in the very way and manner stipulated for them, with neither addition nor reduction, like the fasting of 'Ashura' and 'Arafah, the performance of Witr after the night prayer, the eclipse prayer, and their like.

In connection with all of those, the text is authentic according to the conditions they stipulated, thereupon their rulings became established, and be they obligatory, supererogatory or favorable. Thus, if there are Hadiths in exhortation to them, or warning of leaving the obligatory among them, which are neither authentic, nor too weak to be rejected, nor fabricated and unfit for attestation, there will be no blame to mention them, and use them in exhortation and warning, so long as they have their foundation proven through an authentic way of transmission.

The second is clearly inauthentic. It represents the religious innovation in its most hideous and atrocious form, because it goes back to the personal opinion that is mainly based on inclination, like monasticism rejected by Islam, castration for the one who fears to be put to difficulty, the worship by standing in the sun or silence and abstention from talking to anyone, and so. It is invalid to exhort to the like of this, since it does not exist in Shari'ah, nor does it have foundation to exhort to or warn of violating it.

The third may give the false impression that it is like the first one, in the sense that if the fundamental origin of a certain act of worship is proven in

general, then, there would be indulgence in transmitting the Hadiths related to its details, in which authenticity is not requisite. For instance, the absolute supererogatory prayer is validated. So, if a Hadith (which is not authentic) is transmitted in exhortation to supererogatory prayer on the middle night of Sha‘ban, it then will be backed by the proven ordainment of exhortation to the supererogatory prayer, in origin. Similarly, if a Hadith is proven in exhortation to supererogatory fasting in general, then, the fast of the twenty-seventh of Rajab will be proven accordingly; and so on.

Therefore, the matter is not so as they falsely think. That the fundamental origin of a certain act of worship is proven in general, does not necessarily require to prove its details accordingly. For instance, if the absolute prayer is proven, it is not necessary to prove therefrom any prayer just as Zhuhr, ‘Asr, or Witr, unless it is stated specifically. Similarly, if the absolute fast is proven, it does not necessarily require to prove therefrom the fasts of Ramadan, ‘Ashura’, Rajab, Sha‘ban, or so, unless it is proven in detail with an authentic evidence. Then, we could consider the Hadiths about exhortation and intimidation concerning that act of worship which is proven by authentic evidence.

Nothing like this is included in the question. There is no necessary association between the supererogatory prayer at night or by day, proven to be validated in general, and standing in prayer on the middle night of Sha‘ban with such and such number of rak‘ahs, and recite in each such and such Surah. The same applies to fasting such and such a day, in such and such a month until this act of worship becomes intended in particular. Nothing thereof ensues from the ordainment of the absolute supererogatory prayer and fasting.

The evidence is that to favor a particular day or time with a certain act of worship requires a Shari‘ah ruling specifically, such as to affirm to ‘Ashura’, ‘Arafah, or Sha‘ban a merit that distinguishes it from all the other times, which makes fast on it superior to the absolute supererogatory fasting. This merit requires it to have a ruling of higher rank, which could hardly be understood from the absolute ordainment of the supererogatory prayer and fasting. That is because the absolute ordainment requires that the good deed is multiplied by ten to seven hundred times its like in general. But the fasting of ‘Ashura’ requires that it removes the sins of the year prior to it, an extra value to be added to the absolute ordainment, which gives it a supreme merit; and this goes back to the ruling. This particular exhortation to an act of worship requires a particular rank of recommendation.

So, the ruling should be proved by the authentic Hadiths, on the basis of their statement that rulings could be proven only through an authentic way. The religious innovations attested through an inauthentic way always include extras over what is validated, such as to restrict an act of worship by a specific time, number or constitution. This means that the rulings on those extras are proven through an inauthentic way, which, ultimately, contradicts what has been established by the scholars.

It should not be said in this respect that they intend only the rulings on obligation and prohibition. That is indeed an unfounded arbitrariness. In our view, the rulings include the five divisions without exception. As well as the obligation is proven only through an authentic way, and once its ruling is proven, it will be easier to support it through the Hadiths of exhortation and intimidation, even though not authentic.

Anyway, if an act of worship, whose rank and ruling are proven through an authentic Hadith, as being validated, then, the exhortation to it even without an authentic Hadith is pardonable; and if it is proven only by the Hadiths of exhortation, the authenticity is always required, otherwise, it will swerve from the right way of the men regarded among those firm and well-established in knowledge. Some people, attributed to jurisprudence, erred in this issue, although they claimed they were among the private not the laymen. This mistake goes back, in principal, to the failure to understand the words of the Hadith scholars in both contexts; and success lies with Allah.

2.4. A Chapter On The Opposite Of That

The opposite of that is their rejection of the Hadiths which disagree with their opinions and doctrines, pretending they are illogical and groundless, and thus, they should be rejected. A mention may be made of those who reject the punishment of the grave, the balance of deeds, the Sirat, and the vision of Allah Almighty in the hereafter. They also deny the Hadith of the flies and killing them, under pretext that the disease lies in one of its wings, and the treatment in the other; and the Hadith of the one whose brother had a stomach trouble, thereupon The Messenger of Allah “peace be upon him” ordered him to give him honey, to the end of those authentic Hadiths transmitted correctly.

In this respect, they may criticize the narrators, from among the Companions and their followers, and those upon whose justice and reliability there is consensus among the Hadith scholars and traditionalists, simply to justify their refutation of their opponents. They may further reject their fatwas, and defame them among the laymen, in order to stimulate the ummah to refrain from following the Sunnah and its men.

It is narrated on the authority of Abu Bakr Ibn Muhammad that ‘Amr Ibn ‘Ubaid said: “Should a thief not be pardoned before the case is filed to the ruler?” I related to him the Hadith narrated on the authority of Safwan Ibn Umayyah in which The Messenger of Allah “peace be upon him” said to him: “Why have you not pardoned him before you brought him to me?”⁽¹⁾ he said to me: “Do you take oath by Allah that The Messenger of Allah “peace be upon him” had really said it?” I said to him: “Then, do you swear by Allah that The Messenger of Allah “peace be upon him” had not said it?” I told Ibn ‘Awn about that, and when the attendants in the gathering became more in number, he said to me: “O Abu Bakr! Relate it!”

They also claim that the affirmation of the balance of deeds, the Sirat and the Lake-Fountain is illogical. One of them was asked: “Would he be a disbeliever, who claims the vision of (Allah) the Creator in the hereafter?” he

(1) He refers to the Hadith narrated on the authority of Safwan Ibn Umayyah that he said: Once, I was sleeping in the mosque, taking my upper garment whose value was at that time thirty Dirhams as a cushion, when it was stolen from underneath my head. The thief was brought to the Messenger of Allah "Allah's blessing and peace be upon him", thereupon the Messenger of Allah "Allah's blessing and peace be upon him" ordered that (his hand) should be cut off. I came to him and said: “O Messenger of Allah! Would you cut off his hand for thirty Dirhams? Let me sell him my garment on credit.” On that the Messenger of Allah "Allah's blessing and peace be upon him" said: “Why had you not done so before he was brought to me?” [Sunan Abu Dawud, Hadith no. 4394].

said: “No, since he says something illogical; and whoever says anything illogical is not a disbeliever.”

A group of them go as far as to deny the solitary Hadiths in total, and restrict themselves to what is appreciated by their minds in understanding the Qur'an, to the extent that they make lawful alcoholic drink by His saying: **{On those who believe and do deeds of righteousness there is no blame for what they ate (in the past), when they guard themselves from evil, and believe, and do deeds of righteousness.}** [Al-Ma'idah 93]

It is in connection with those and their likes that The Prophet “peace be upon him” said: “I do not (like to) see anyone of you sitting on his bed, while being informed of that which I've commanded (you to do) or that which I've forbidden (you to do), thereupon he would say (by way of denial): “I do not know! We only follow that which we find in Allah's Book.””⁽¹⁾ That is indeed a severe threat implied in the forbiddance against anyone who commits the crime of rejecting the Sunnah.

Since they depend on mind in their rejection, the debate with them should go back to the principle of reason-based appreciation and depreciation, which has its grounds in the science of fundamentals of Jurisprudence. However, this will be given a detailed clarification in this book, Allah willing.

It is narrated on the authority of 'Umar Ibn An-Nadr that he said: One day, 'Amr Ibn 'Ubaid was asked about something and I was with him, and he gave his answer concerning it. I said to him: “That is not the opinion of our companions.” he asked me: “Who are your companions, may you be bereaved of your father?” I said: “Ayyub, Yunus, Ibn 'Awn and At-Tamimi.” He said: “Those are the filthiest among men, dead and not living.”

It is narrated on the authority of Ibn 'Ulayyah⁽²⁾ from Al-Yasa' that he said: One day, Wasil, i.e. Ibn 'Ata'⁽³⁾ talked, and 'Amr Ibn 'Ubaid said: “Do you not hear? The speech of Al-Hasan and Ibn Sirin, when heard, is but like a thrown piece of cloth of menstruation.” Wasil Ibn 'Ata' was the first to embrace the principles of the Mu'tazilah, and 'Amr Ibn 'Ubaid joined him, who admired him and gave him his sister in marriage and said to her: “I have given you in marriage to a man who is fit only for being a caliph.”

They exceeded the due limits by rejecting parts of the Qur'an in reference, implicitly and explicitly, to their bad opinion. In this connection, it is narrated

(1) Sunan Ibn Majah, Hadith no. 13; Abu Dawud, Hadith no. 4605; At-Tirmithi, Hadith no. 2663; Ad-Darimi, 586; Ahmad, 4:132; Al-Hakim in Al-Mustadrak, 1:108; Al-Baghawi in Sharh As-Sunnah, Hadith no. 100.

(2) Siyar A'lam An-Nubala', 9:107; Shatharat Ath-Thahab, 1:333.

(3) Wafiyat Al-A'yan, 6:7; Shatharat Ath-Thahab, 1:182.

on the authority of ‘Amr Ibn ‘Ali⁽¹⁾ that he said: I heard the following story from a reliable man: I was with ‘Amr Ibn ‘Ubaid who was sitting on the bench of ‘Uthman At-Tawil, when a man came to him and said: “O Abu ‘Uthman! Tell me of what you heard concerning the opinion of Al-Hasan about the following saying of Allah Almighty: {Say: **"Even if you had remained in your homes, those for whom death was decreed would certainly have gone forth to the place of their death."**} [Al ‘Imran 154] he said: “Do you like that I should tell you about a good opinion in this issue?” the man said: “I like to tell me only about what you have heard from Al-Hasan.” He said: “I heard Al-Hasan saying: ‘If Allah Almighty decreed killing for a people, they would not die but by killing; and if He decreed that a people should die under ruins, they would not die but under ruins; and if He decreed drowning for a people, they would not die but by drowning; and if He decreed that a people should die by burning, they would not die but by burning.’” ‘Uthman At-Tawil said to him: “O Abu ‘Uthman! That is not our opinion (in interpretation of this Holy Verse).” He said: “That is the opinion of Al-Hasan, which you asked for; and I would attribute lies to Al-Hasan (if I told about my own opinion).”

It is narrated on the authority of Al-Athram⁽²⁾ from Ahmad Ibn Hanbal from Mu‘ath that he said: I was with ‘Amr Ibn ‘Ubaid when ‘Uthman Ibn so and so came to him and said to him: “O Abu ‘Uthman! I, by Allah, have heard of disbelief.” He said: “What is that? Do not be hasty in your judgment about disbelief.” He said: “Hashim Al-Awqas alleged that the following saying of Allah is not in the foundation of the Book: {**Let the hands of the Father of Flames perish!**} [Al-Masad 1] and: {**Leave Me alone, (to deal) with the (creature) whom I created (bare and) alone!**} [Al-Muddaththir 11] furthermore, Allah Almighty says: {**Ha-Mim. By the Book that makes things clear, We have made it a Qur’an in Arabic, and that you may be able to understand (and learn wisdom). And verily, it is in the Mother of the Book, in Our Presence, high (in dignity), full of wisdom.**} [Az-Zukhruf 1-4] Is disbelief something other than this? He kept silent for a while after which he said: “By Allah, had it been as you are saying, then, there would have been no blame upon Abu Lahab nor on (Al-Walid Ibn Al-Mughirah) whom Allah created bare and alone.” ‘Uthman said: “That is, by Allah, the religion.” Mu‘ath said: I made a mention of that to Waki‘⁽³⁾, who said: “Whoever says so should be asked for repentance: if he repents, that is good, otherwise, his head should be chopped off.”

A story like this is related from one of the respected scholars of Hadith. It is narrated on the authority of ‘Ali Al-Madini⁽⁴⁾ from Mu‘ammal⁽⁵⁾ from Al-

(1) Tahthib At-Tahthib, 8:80; Shatharat Ath-Thahab, 2:120.

(2) Siyar A‘lam An-Nubala’, 12:623; Al-Jarh Wat-Ta‘dil, 2:72.

(3) Siyar A‘lam An-Nubala’, 9:140; Al-Jarh Wat-Ta‘dil, 1:219.

(4) Al-Jarh Wat-Ta‘dil, 6:193; Shatharat Ath-Thahab, 2:81.

(5) Siyar A‘lam An-Nubala’, 10:110; Tahthib At-Tahthib, 10:380.

Hasan Ibn Wahb Al-Jumahi that he said: There was an intimacy between me and so and so. He left with his family to Bi'r Maimun. He sent to me inviting me to come to him. I came to him in the evening, and spent the night with him, each one in a separate tent. I kept hearing his voice along the whole night, as it were the sounding of bees. When it was morning, he brought the early meal and we got it together. Then, he remembered the right of brotherhood bond between us and then said: "Let me invite you to my good opinion." Then, he started to talk to me about the fate. I then left him and never spoke with him until he died.

He resumed: One day, while I was coming out of the way of Tawaf and he was coming in, or vice versa, he took hold of my hand and said: "O Abu 'Umar! To which time? To which time (you would desert me)?" I gave no reply. He then said: "What is wrong with me? Tell me what your opinion is about a man who claims that Allah's saying **{Let the hands of the Father of Flames perish}** is not a part of the Qur'an?" I took away my hand.

'Ali said: Mu'ammal said: I related this story to Sufyan Ibn 'Uyainah thereupon he said: "I have never thought he would reach such a state."

I heard this, along with Ahmad Ibn Hanbal. I further related to Sufyan Ibn 'Uyainah some of what Mu'alla At-Tahhan said, thereupon he said: "The claimant of this opinion is more entitled to be killed."

Consider then how they dared to challenge the Book of Allah Almighty, and the Sunnah of His Messenger "peace be upon him", simply to make their opinions and doctrines preponderant over the mere truth. The closest among them to Shari'ah always functions it to seek the way out, in which he interprets the precise and entirely clear, and follows the imprecise and not entirely clear. But even, all are condemned by it.

A sect of religious innovators may argue, in their rejection of the Hadiths, that they give the impression of assumption, and assumption is condemned by the Qur'an, as stated in His saying: **{They follow nothing but assumption and what their own souls desire! Even though there has already come to them Guidance from their Lord!}** [An-Najm 23] and: **{They follow nothing but assumption; and assumption avails nothing against Truth.}** [An-Najm 28] By so doing, they made lawful many things rendered unlawful by Allah Almighty on the tongue of His Messenger "peace be upon him", although there is no clear text in the Qur'an to make them unlawful, thereby intended to confirm what they appreciated by their own reason.

But even, the assumption intended in the Qur'an, as well as in Hadith is different from their allegation. Assumption, in general, has three meanings:

One is the assumption of the principles of religion, which avails nothing in the sight of the scholars, for it may, probably, indicate to its opposite when practiced (i.e. negation versus affirmation, and that is impossible for the fundamentals and principles of religion), unlike assumption of the branches which is enforced by the men of Shari'ah, since there is evidence in support of that. Assumption thus is condemned unless it is of the branches. That is right, as stated by the religious scholars in this place.

The second is to make an opposite preponderant over another, with no overweighing evidence. There is no doubt that it is condemned here, since it is a result of arbitrariness. For this reason, it is joined to the self-desires in Allah's saying: **{They follow nothing but assumption and what their own souls desire!}** they seem as if they incline to something just to serve their purpose and desire; and that is why it is condemned. It is unlike the assumption provoked by evidence, which is not condemned, since in it one does not follow the inclinations; and that is why it is affirmed and enforced, where it is fit to act upon it, like the branches and detailed issues.

The third is that the assumption is of two kinds: an assumption supported by a foundation established with full certainty, and it is those assumptions which are enforced in Shari'ah wherever they take place, since they are supported by a known foundation. The other is not so supported: it is either supported by nothing at all, and that is condemned, or supported by another assumption like it. If this other assumption is supported by a foundation established with full certainty, it is subject to the same ruling of the former; and if it is supported by something established with a measure of uncertainty, it is subject to consideration: it should be supported by a foundation established with full certainty, and that is praiseworthy, or by nothing, and that is condemned.

Anyway, a solitary story whose chain of transmission is authentic should be supported by a foundation established with full certainty in Shari'ah, in which case, it should be accepted; unlike the assumptions of the disbelievers, which are unfounded, and thus rejected, and considered insignificant.

However, some strayers went, in rejecting the Hadiths, as far as to reject the opinions of those who depended upon them in total, to the extent that they regarded unreasonable to rely on them, and the reliant a mad.

It is narrated on the authority of Abu Bakr Al-'Arabi that he said: One of them was asked: "Would he be a disbeliever, who claims the vision of (Allah) the Creator in the hereafter?" he said: "No, since he says something illogical; and whoever says anything illogical is not a disbeliever."

In his comment, Ibn Al-'Arabi said: "That is our position in their sight. So, let the successful one consider the outcome to which following inclination may lead. May Allah save us from that, by His bounty."

Some eminent among the scholars of our time slipped in this issue, and claimed that the solitary stories, in total, are dependent upon allegation, as stated in the following tradition: “How evil riding mount of a man is (his statement) ‘They have alleged such and such’.” It is also narrated in another tradition: “Beware of assumption, since assumption is the falsest of speech.”

That is a slip in which that later man has fallen: may Allah pardon him.

3.4. A Chapter On Their Conjecture In Talk About The Qur'an And Sunnah

They also conjecture in their talk about the Arabic Qur'an and Sunnah, given their lack of knowledge of Arabic language, by which people understand the speech of Allah and His Messenger "peace be upon him" they indeed construe Shari'ah according to their limited understanding, and embrace it, thereby disagreeing with these firm in knowledge. They do so because they have good assumption of themselves and believe that they are in the rank of the men of Ijtihad and deduction, although they are not so.

In this connection, it is narrated that one of them was asked about the meaning of Allah's statement: **{a furious Wind, exceedingly violent}** [Al-Haqqah 6], thereupon he said: "It refers to the cockroach."

It is narrated on the authority of An-Nazzam⁽¹⁾ that he used to say: "If one swears to keep aloof from his wife, by anything other than Allah, his oath will be ineffective, for Ila' is derived from the Name of Allah, which means that in order to be valid, oath should be taken by Allah Alone."

In his comment on Allah's statement: **{thus did Adam disobey his Lord, and err}** [Ta Ha 121], one of them said: "That is because he ate so much of the forbidden tree." They interpret the Arabic verb 'Ghawa' within the context of satiety rather than of error and seduction.

They also interpret Allah's statement: **{Many are the Jinns and men We have made for Hell}** [Al-A'raf 179] within the context of throwing rather than creating, on the light of their confusion about the Arabic verbs 'Thara'a' and 'Thara'".

One of them made lawful the fat of swine, attesting his argument with Allah's saying: **{He has only forbidden you dead meat, and blood, and the flesh of swine}** [Al-Baqarah 173], in which the fat is not mentioned. This means that the fat of the swine then is lawful. Some scholars may admit their argument, pretending that the fat of the swine has been made unlawful only by consensus (rather than by a transmitted text). But even, the matter is much easier. The word 'flesh' is meant to include also fat, as well as sinew, bone, vein, and even skin. Had their opinion been right, then, neither the vein, nor the marrow, nor the sinew, nor the skin, nor the bone would have been prohibited, since no one of them is mentioned in name. that is indeed a violation of the judgment of prohibition of swine.

That is the hidden gate through which the Khawarij claim that there is no

(1) Siyar A'lam An-Nubala', 10:541.

adjudication, attesting their argument with the statement of Allah Almighty: **{the Judgment is for no one but Allah.}** [Yusuf 40] It is based on the general significance of the wording, in which there is no specificity. For this reason, they discard Allah's saying: **{If you fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers.}** [An-Nisa' 35] and: **{as adjudged by two just men among you.}** [Al-Ma'idah 95] The ignorance of the Arabic speech as such, in many cases, lead to illogical allegations, unacceptable to mind: may Allah save us by His bounty from ignorance, and from acting upon it.

No importance should be given to such attestations, and their men should not be discussed about their opinions, for their violations, along with the rulings they deduce, whether in the fundamentals or in the detailed issues, are but religious innovations. They indeed swerve from the Arabic speech to follow their inclinations.

'Umar Ibn Al-Khattab "Allah be pleased with him" has told the truth when he said: "Verily, this Qur'an is (Allah's) words, which you should place properly, and do not function it to follow your inclinations." That is, understand it as its words require, and do not pervert it from its right meaning, lest you would deviate from the straight path to the way of following the inclination.

It is also narrated from him "Allah be pleased with him" that he said: "I indeed fear two types of men for you: one who interprets the Qur'an but not according to its correct meaning, and a man who envies his brother because of his property."

It is narrated from Al-Hasan "may Allah have mercy upon him" that he said in reply to a question: "What is your opinion about a man who learns Arabic in order to make straight his language and speech?" he said: "That is good. Let him learn it. A man may read a Quranic Verse and (being short of correct understanding of Arabic) fails to interpret it accordingly, thereupon he would be ruined."

He further said: "No doubt, your lack of acquaintance in Arabic has ruined you. You interpret the Qur'an not according to its correct meaning."

4.4. A Chapter On Their Deviation From The Clear Fundamentals

They also deviate from the clear fundamentals to follow the unclear and imprecise issues, in which minds have a share of attitudes, and act upon it by way of interpretation. In confirmation of that, Allah Almighty refers in His saying to the trinity claimed by the Christians: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings).}** [Al 'Imran 7]

It is well-known, among the scholars, that any evidence which is unclear and abstruse could hardly be considered a real evidence until its meaning becomes clear and precise, on condition that it should not be opposed by any foundation established with full certainty. Unless its meaning seems clear and precise, due to generality, commonness or opposition to a foundation established with full certainty, it will not be considered an evidence at all. The real nature of evidence requires that it should be clear in itself, and an obvious indication to the issue, otherwise, it will need another evidence to prove it: if the other evidence indicates that it is not authentic, then, it should, rather, not be regarded an evidence at all.

By no means could the detailed issues oppose the universal fundamentals. That is because if the detailed issues entail acting, then, the straight path requires to return to the fundamentals, which includes the detailed issues up to the universal principles. Whoever does the reverse of that will transgress beyond the due limits, and become condemned by Shari'ah.

The follower of the unclear and imprecise is condemned. How then should the imprecise and unclear be taken for evidence, or for basis on which judgments and rulings are established? If they are unfit for evidence, then, they should rather be considered invented religious innovations.

A typical example for this is the false claim of a group of people that the Holy Qur'an is created, attaching their argument to an imprecise meaning, which is, in their allegation, reasoning-dependent and hearing-reliant.

As for the reasoning-dependent, it is that the speech is one of the attributes, and the Divine Essence, in their sight, is free from composition in general; and to affirm any attribute to the Essence is a kind of self-composition, which is impossible at all, since He is absolutely One, Who could not speak with an independent speech, in the same way as He could be neither competent with an independent power, nor knowing with an independent

knowledge...to the end of the series of attributes.

Furthermore, the speech could be understood only through sounds and letters, an attribute characteristic of the newly invented things, beyond which Allah Almighty is transcendent. Nevertheless, to support their claim, they force upon themselves the difficulty of interpreting Allah's statement: **{and to Moses Allah spoke direct}** [An-Nisa' 164] according to their doctrine.

As far as the hearing-dependent is concerned, a mention may be made of Allah's saying: **{Allah is the Creator of all things.}** [Ar-Ra'd 16] The Qur'an is either a thing or nothing; and nothing means any nonexistence, whereupon the Qur'an is existent. Being a thing, it is included in this Holy Verse, which means that it is created. That is the attestation presented by Al-Marisi to 'Abd-Al-'Aziz Al-Makki "may Allah have mercy upon him".

That they left the basic rule is shown in their failure to consider the statement of Allah Almighty: **{there is nothing whatever like unto Him.}** [Ash-Shura 11] It is indeed a reasoning-hearing dependent evidence. That is because what is similar to the creature in any point whatsoever is a creature like him, as what is due to a thing should be due also to anything created like it. As well as the Holy Verse is an evidence for negation of resemblance, it is also an evidence for those who, in deeming Him transcendent, deal with Him like a creature, when they falsely think that His possessing attributes requires self-composition.

That they discarded the discourse meaning lies in the fact that from Allah's saying: **{He is the All-Hearing, the All-Seeing}, {He is the All-Hearing, the All-Knowing}, or {He is the Omnipotent},** and their likes, the Arabs understand that it refers to the one who has hearing, seeing, knowledge and omnipotence, and that he possesses those attributes. To shift those from their real meanings with which the Qur'an was revealed is indeed to deviate from the foundations of the Book to follow only the imprecise and not entirely clear thereof with no need.

That they reduce those attributes to the states of being omnipotent, and being knowledgeable,, means that what they enforce in the omnipotence and knowledge should also be compulsory in the states of being omnipotent and being knowledgeable. That is because these are either existent, which requires the composition, or no nonexistent, which is a merely negation.

That the speech is but sounds and letters goes back to their failure to consider the self-existing speech, which is mentioned in the first one.

The hearing-based allegation is established on following, since reasoning is the fundament that should be followed. But they need supportive evidence, as we have previously mentioned.

As for Allah's saying: **{Allah is the Creator of all things.}** [Ar-Ra'd 16] is

either taken as it is in general, i.e. there is nothing but that it is created by Him, or not. If it is taken in general, then, to specify it with no evidence is arbitrary; and in case there is evidence, show it in order to consider it. The same applies to all attributes in the event of reduction of speech to them, and states in the event of their denial. Their words always change by time.

However, there are other kinds of evidence, which confirm that this doctrine is but a religious innovation, unfit for the Shari'ah rules.

The strangest tale in this respect is what is narrated by Al-Mas'udi and abridged by Al-Ajurri in Kitab Ash-Shari'ah on the authority of Salih Ibn 'Ali Al-Hashimi⁽¹⁾, that he said: One day, I attended the gathering of Al-Muhtadi⁽²⁾ to receive the complaints of the people, and I appreciated the easy access to him, and the way he dealt with the people's injustices through his written commands. I peeped into him while looking at the pieces of paper which contained the complaints, and whenever he raised his head and looked at me, I lowered my head. He seemed to have known what is lurking within my breast, thereupon he said to me: "O Salih! I think you have something you like to mention to me." I said: "Yes, O Commander of Believers." He kept silent; and when he finished from investigating the complaints, he ordered that I should not leave. He stood (and left), and I remained sitting for a long time. I then went to him and he was sitting on the praying mat straw, and he said to me: "O Salih! Would you tell me about what is lurking within your breast or would you let me do so?" I said: "It is better that the Commander of Believers should do."

He said: "It seems that you have appreciated our gathering." I said: "Which excellent caliph is ours, unless he adopts the same opinion of his father, concerning the creation of the Qur'an!" he said: "I did for a long time until Al-Wathiq⁽³⁾ received a Shaykh who was a jurisprudence scholar and a Hadith narrator, from Uthna, a bordering city in Sham. He was brought in fetters, and he had a good-looking appearance. He paid salutation with poise, and invoked briefly. I saw the signs of shyness of and mercy towards him in the looks of Al-Wathiq at him.

He said to him: "O Shaykh! Give answer to the questions Abu 'Abdullah Ahmad Ibn Abu Da'oud⁽⁴⁾ is going to raise to you." He said: "O Commander of Believers! Ahmad will get smaller, shrink and weaken on debating." On that I saw the mercy of Al-Wathiq towards him turned into anger with him. He said: "Do you say that Abu 'Abdullah Ibn Abu Da'oud will get smaller, shrink and weaken on debating with you?" he said: "Take it easy, O Commander of

(1) Siyar A'lam An-Nubala', 7:18.

(2) Siyar A'lam An-Nubala', 12:535; Shatharat Ath-Thahab, 2:132.

(3) Siyar A'lam An-Nubala', 10:306; Tarikh At-Tabari, 9:123.

(4) Siyar A'lam An-Nubala', 11:169; Wafiyat Al-A'yan, 1:81.

Believers! Do you give me permission to talk to him?” Al-Wathiq gave him permission.

The Shaykh faced him and said: “O Ahmad! To which thing have you invited the people?” he said: “To adopt the principle that the Qur’an has been created.” He asked him: “Is this argument of yours about the creation of the Qur’an essential to perfect the religion?” he answered in the affirmative. He said: “Then, had The Messenger of Allah “peace be upon him” invited the people to it or left them?” he said: “No (he had not invited them to it).” He said: “Did he or did he not learn it?” he said: “Of course, he learnt it.” He said: “Then, why have you invited the people to something to which The Messenger of Allah “peace be upon him” had not invited them?” he gave no answer, thereupon the Shaykh said: “O Commander of Believers! That is one (the first argument to be established against him).”

Then he said to him: “Tell me, O Ahmad: Allah Almighty says: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma’idah 3] Therefore, you claim that your argument is essential to perfect the religion. Then, who has told the truth: Allah Almighty Who told that He had perfected the religion, or you when you alleged that the religion is still incomplete?” he gave no answer, thereupon the Shaykh said: “O Commander of Believers! That is the second (the first argument to be established against him).”

A while later, the Shaykh said to him: “O Ahmad! Allah Almighty says: **{O Apostle! proclaim the (Message) which has been sent to you from your Lord. If you did not, you would not have fulfilled and proclaimed His Mission.}** [Al-Ma’idah 67] is or is not your argument to which you have invited the people a part of the message he conveyed to the ummah?” he gave no answer, thereupon the Shaykh said: “O Commander of Believers! That is the third (the first argument to be established against him).”

A moment later, he said: “Tell me, O Ahmad: since The Messenger of Allah “peace be upon him” learnt this argument to which you have invited the people, did he have the liberty not to convey it to the people?” he answered in the affirmative. He said: “And so did Abu Bakr, ‘Umar, ‘Uthman and ‘Ali “Allah be pleased with them”.” He answered in the affirmative, thereupon the Shaykh turned his face towards Al-Wathiq and said: “O Commander of Believers! If we do not have the same liberty not to do what The Messenger of Allah “peace be upon him” and his Companions abstained from, then, may Allah not make us at liberty!”

Al-Wathiq then commanded that his fetters be untied, and when they were loosened, he caught hold of them forcefully, thereupon Al-Wathiq said: “Leave him.” Al-Wathiq said to him: “O Shaykh! Why have you caught hold of them forcefully?” he said: “Because I have made a firm intention to catch hold

of them, and if I take it, I then bequeath that it be made in front of me, and then I will say: "O Allah! Ask Your servant why he had put me in fetters wrongfully, and scared my family because of that?" Al-Wathiq then wept, and so did the Shaykh and all the attendants. Al-Wathiq said: "O Shaykh! Release me from your sin." He said: "O Commander of Believers! I have not come out of my house before I released you from my sin, out of veneration for The Messenger of Allah "peace be upon him" and your kinship with him." Al-Wathiq then grew happy, and the signs of pleasure appeared on his face, and said to him: "O Shaykh! Stay in my house, so that I would enjoy your company." He said: "No doubt, my abidance in that bordering country is more beneficial. Furthermore, I am an old man and have a need to fulfill." He said: "Ask what seems to you to ask for." He said: "That the Commander of Believers should give me permission to return to the same place from which this wrongful man had driven me out." He gave him permission, and commanded that a reward be given to him, but he did not accept it.

From that time on, I retracted from this opinion (that the Qur'an is created); and I think that Al-Wathiq too had retracted from it.⁽¹⁾

Consider then this tale, and see how men silence their opponents, by refuting their claims with nothing other than the Book of Allah Almighty, and the Sunnah of His Prophet "peace be upon him".

The error which represents the main issue of this chapter goes back to one point. That is, the ignorance of the main purposes of Shari'ah, and failure to join its different parts to realize consistency. The approach of these firm in knowledge is to take Shari'ah as a coherent unity, according to its proven universal principles and the particular issues that are established on them, its generalizations which are established on its specifics, its absolute matters which are construed within the context of restrictions, and its brief rules which are explained along its different parts. If anyone who reflects it as an integrated body concludes a ruling, it will be valid, as being based on a correct deduction.

Its example is like a man of sound form and is proportionate. Of course, a man could not be regarded a real man until he speaks, in the sense that neither by the hand alone, nor by the leg alone, nor by the head alone, nor by the tongue alone could he speak: but he could speak only by all of this which constitutes a consistent unity with which he is called a man.

The same is true of Shari'ah: no ruling should be sought in it by deduction unless it is reflected as an integrated wholeness, rather than through a certain evidence to be taken from it randomly whatsoever. That is because any such evidence is illusive rather than real. It is just like the hand when asked to speak: it will not speak in reality in so much as in illusion, as being the hand of a man,

(1) See the story in full in *Siyar A'lam An-Nubala'*, 10:306; *Tarikh Al-Khulafa'*, 368.

rather than a complete man, as it is impossible.

Those firm and well-established in knowledge always think of Shari'ah as one integrated image, whose parts serve each other like the organs do in the human body when put in a fruitful picture.

Dissimilar are the followers of the imprecise and not entirely clear: they pick up any evidence that seems to them randomly whatsoever, regardless of being opposed by a universal principle or a particular issue. It seems that the one member part does not give a real judgment within the framework of Shari'ah, and its follower is only the one who follows what is imprecise and not entirely clear. No one follows it but the one in whose heart there is a deviation from the truth, as confirmed by Allah Almighty, **{and whose word can be truer than Allah's?}** [An-Nisa' 122]

5.4. A Chapter On Types Of Such Deviation From The Truth

At this point, let us say that among the ways of following the imprecise and unclear is to take the absolute rules without reducing them to their restrictions, and the general matters, giving no importance to their specifics, and vice versa, i.e. to make absolute the restricted text, and generalize the particular one, depending upon the personal opinion, with no supportive evidence. This approach relies on following the inclinations in bringing the evidence. The restricted text could not be clear when made absolute; and to make absolute the restricted means that the one who does so sees in the restricted something in opposition to the text, with no evidence.

The example for the former is that the obligations of Shari‘ah address all persons who are competent for religious assignments in general, and nothing removes that except the legal excuse which exempts from religious obligations in general, such as the loss of mental faculties. If anyone competent for religious assignments attains the highest rank of religion, the religious obligations will remain due on him until death. To be sure, no one shall attain a rank in religion higher than The Messenger of Allah “peace be upon him”, and then the rank of his pious Companions. But even, the religious assignments did not lapse from them, save the obligation that is beyond one’s capacity: for instance, Jihad is not due upon the one who has a chronic disease, the prayer while standing is not due upon the disabled who could not stand, the prayer is not due upon the menstruating woman, to the end of this series.

Whoever claims that the religious assignments could be cancelled out from anyone when he attains a certain rank in religion, like the licentiousness claimants, his opinion then is but a religious innovation, which renders him apostate.

Here, a mention may be made of the false claims of many religious innovators, that the authentic Prophetic Hadiths contradict the Qur’an, or contradict each other, have invalid meanings, and disagree with minds.

As such they judge the Hadith narrated on the authority of Abu Hurairah “Allah be pleased with him” that two Bedouins came to The Messenger of Allah “peace be upon him” and one of them said: “O Messenger of Allah! I ask you by Allah to judge our case according to Allah’s Laws. My son was working as a laborer for this (man) and he committed illegal sexual intercourse with his wife. The people told me that it was obligatory that my son should be stoned to death. In lieu of that, I ransomed my son by paying one hundred sheep and a slave girl. Then I asked the religious scholars about it, and they informed me that my son must be lashed one hundred lashes, and be exiled for

one year, and the wife of this (man) must be stoned to death." The Messenger of Allah "peace be upon him" said: "By Him in Whose Hands my soul is, I will judge between you according to Allah's Laws. The slave-girl and the sheep are to be returned to you, your son is to receive a hundred lashes and be exiled for one year. You, Unais, go to the wife of this (man) and if she confesses her guilt, stone her to death." Unais went to that woman next morning and she confessed. The Messenger of Allah "peace be upon him" ordered that she be stoned to death.

They claim that this judgment disagrees with the laws of the Book of Allah: he judged that the woman should be stoned to death, and the man be exiled, and both have no foundation in the Book of Allah Almighty. If the Hadith is false, then, that will serve their purpose, and if it is true, it then contradicts the Book of Allah, by adding both stoning and exile.

They indeed follow only the imprecise and unclear. The book, in Shari'ah, stands for different meanings, including judgment and ordainment, as in Allah's saying: **{thus has Allah ordained (prohibitions) against you.}** [An-Nisa' 24] **{Fasting is prescribed to you as it was prescribed to those before you.}** [Al-Baqarah 183] and: **{When (at length) the order for fighting was issued to them...they said: "Our Lord! why have You ordered us to fight?}** [An-Nisa' 77] From this, it seems clear that the meaning of the Hadith is that he told them that he would judge between them according to the laws of Allah which He has ordained to us. The book also stands for the Qur'an. So, to specify the book to anyone of those apart from others, with no evidence, is out of following the imprecise and unclear proofs.

The Messenger of Allah "peace be upon him" further said: "The example of my ummah is like rain: it is not know whether good lies in its beginning or in its end." They say that this Hadith requires that superiority is affirmed neither to the foremost nor to the last generations of this ummah.

Then, The Messenger of Allah "peace be upon him" said: "Islam started as a stranger, and it will return to be as a stranger (as it started in view of the scarcity of such as act upon it): so, blessed be the strangers (who act upon it)." ⁽¹⁾ This requires that superiority be given to both the foremost and the last over the middle generations.

Then, The Messenger of Allah "peace be upon him" said: "The best generation is that of mine, then those who will come after them, and then those who will come after the latter." This means that those of the first generation are superior to all the people absolutely.

They interpret that to be contradiction. But even, they have told a lie. There is neither contradiction nor difference. If a position in the Shari'ah tenets seems to the immature in judgment, it may be possible or impossible to

(1) 'Abdullah Ibn Mas'ud and Sahl Ibn Sa'd As-Sa'idi by At-Tabarani in Al-Awsat [Majma' Az-Zawa'id].

combine both opposites. In case of impossibility, it will be an opposition between an indication established with full certainty, and another established with a measure of uncertainty, or between two indications, both established with a measure of uncertainty. But any position between two indications, both established with full certainty is quite impossible in Shari'ah.

If it takes place between two indications, one with full certainty, and another with a measure of uncertainty, the latter then would be invalid. But if it takes place between two indications, both established with a measure of uncertainty, one of them should then be given preponderance over the other by the scholars, and the preponderant should be acted upon. But even, the combination of them is also possible, as agreed upon by the scholars, no matter how weak it might be. It is preferable, in their sight, to act upon combination and enforce the proofs rather than to neglect some of them.

The religious innovators then have nothing to do with that foundation, out of ignorance of it, or obstinacy to change their mind.

Being so, then, his statement "The best generation is that of mine" represents the foundation in this respect. Of a surety, no one of us has ever attained the rank of the Companions "Allah be pleased with them", and anything else is apt to interpretation according to a certain point of time, place, state or so. As for his statement "Blessed be the strangers", it does not indicate to any preference whatsoever. It simply points out the good reward to be received by those; and whether their reward is equal to, more or less than that of the Companions is open to probability, since there is no evidence in the Hadith to give predominance to one over others. So, it should be construed within the context of the foundation, without problem.

They also claim that there is contradiction between the statement of The Messenger of Allah "peace be upon him": "Give me no preference over Yunus (Jonah) son of Matta; and do not favor me over the Prophets" and his statement: "I will be the chief of all mankind (on the Day of Judgment), and (I say so) not out of pride." Therefore, the point of combination between them is quite apparent.

The Messenger of Allah "peace be upon him" said: "When anyone of you gets up at night, let not him get his hand into the vessel until he pours over it twice or thrice, for one of you does not know where his hand is during the night."⁽¹⁾ They claim that the end of this Hadith invalidates its beginning. The beginning sentence of it seems authentic, but for his saying in the end: "for one of you does not know where his hand is during the night." Everyone of us knows where his hand is during the night, and there is nothing worse than one's touching his private parts during his sleep; and if anyone does so during wakefulness, he would not be required to wash his hand: then, how should he be required to wash his hand, given that he does not know whether or not he

(1) Ibn Majah, Hadith no. 393, 394, 395.

has touched his private parts during his sleep?

This objection is like the previous one. During one's sleep, he may touch his private parts, and get affected by filth, due to abstention from performing Istinja' before sleep, or doing Istijmar improperly. If he touches his private parts during wakefulness, he would then make sense to whatever filth may stick to his hand, thereupon he would wash it from the utensil before getting it into it, in order not to contaminate the water. As possible as this might be, this objection then would be of no significance.

All what is mentioned in this chapter goes back to cancelling out the Hadiths, just depending upon the condemned opinion, attested to be one of the things newly invented in the religion.

6.4. A Chapter On Their Distortion Of Proofs From Their Right Contexts

An aspect of their distortion of evidences from their right contexts is that whenever a certain evidence is brought for a particular relevance, it would be taken and used for another, quite different, giving the false impression that both are the same. It is an aspect of the hidden distortion of words from their right usages, Allah forbid! It is close to certainty that no one embraces Islam as religion, and condemns the distortion of words from their right places, takes refuge to that unless he encounters a suspicious matter, or proves ignorant, which keeps him off the truth, or follows an inclination which makes him blind from using the evidence properly, thereby he becomes a religious innovator.

In clarification of that, let us say that if a Shari'ah evidence is relevant to a certain matter in general, say, an act of worship, which a competent for religious assignments performs also in general, such as the remembrance of Allah and supplication, and the favorable supererogatory deeds, and the like of those things known to be imposed by the lawgiver at liberty, the relevant evidence then will support the matter from two perspectives: the meaning on the one hand, and the acting of the righteous predecessors upon it on the other hand. If the competent for religious assignments abides by performing that act of worship in a particular way, at a certain point of time, in a specific place, having the false impression that such particular way, time or place is intended by Shari'ah, with no evidence to support it, the evidence then will have been taken away from its true relevance.

For example, if it is recommended by Shari'ah to remember Allah Almighty, and then a group of people assemble on doing it in one voice, at a specific time apart from the other times, the recommendation given by Shari'ah to this will not support the adherence to doing it in this particular way, and at that certain point of time and place. That is because to adhere to things not compulsory under Shari'ah gives the false impression that this adherence is validated by Shari'ah, even though it is not so, esp. when it is done by those whom the people imitate, like the assemblies of people in the mosques. If it is demonstrated in such a way, and placed in the mosques like the other rites stipulated by The Messenger of Allah "peace be upon him", such as the Athan, the prayers of both 'Eeds, the eclipse and Istisqa' prayers, etc, it will give the false impression that it belongs to the acts of Sunnah, if not one of the obligatory duties. So, the evidence used for attestation is entitled not to address it. That is why it is regarded a newly invented religious innovation, by that consideration.

It is on the basis of this that the righteous predecessors avoided adherence

to those things, given that they were worthier of and more entitled to be of their men, had they been validated by Shari'ah according to the enforced rules. Remembrance of Allah Almighty has been recommended by the lawgiver (Allah) in many places, and there is no act of worship in which multiplication has been required so much as in it. He Almighty says: **{O you who believe! celebrate the praises of Allah, and do so often; And glorify Him morning and evening.}** [Al-Ahzab 41-42] He further says: **{and seek of the Bounty of Allah: and celebrate the Praises of Allah often (and without stint): that you may prosper.}** [Al-Jumu'ah 10] This act of worship differs, in this point, from all the others.

The same applies to supplication, which is a kind of remembrance of Allah Almighty. They did not abide, in it, by certain ways, times or places, which might give the impression that this act of worship was unique to those specifics, unless there was evidence to confirm it, like the morning and evening. Nor did they demonstrate thereof, save what was stated by the lawgiver, like the remembrance in both 'Eeds and so. Therefore, they were persistently eager to conceal their remembrance and supplications. For this reason, when they raised their voices (with supplication), The Messenger of Allah "peace be upon him" said to them: "Be quiet! You do not address one who is deaf or absent."⁽¹⁾ They also did not show themselves in the assemblies while doing so.

Whoever dissents from this foundation has, indeed, violated first, the absolute evidence, by restricting it to a specific condition, just depending upon his personal opinion, and, second, disagreed those who had better knowledge of Shari'ah, i.e. the righteous predecessors. In many cases, The Messenger of Allah "peace be upon him" left the deed, although he liked to do it, for fear the people would act upon it with the result that it would be enjoined upon them.

One might have the false impression that an absolute word makes it permissible to do anything connoted by it, and not in reference to a specific act of worship. Those words should be construed within the context of the acts of worship in the very manner in which they were received from The Messenger of Allah "peace be upon him" and the righteous predecessors, like the prayers, for example, which were stipulated in a way that was beyond the reach of mind, concerning their particular pillars, orders, times, modes, numbers, and so. In sum, the acts of worship, in general, should not depend only on the personal opinion and reason-based appreciation, since this disagrees with their position. Furthermore, the minds could not perceive their meanings in detail.

The scholars also were eager not to conduct analogism in those acts of worship. Malik Ibn Anas, for instance, was eager to avoid the personal opinion, and shun analogism except in the very rare cases in which he was forced by necessity, like the analogy of rejection of difference. The other scholars did the

(1) Al-Bukhari, Hadith no. 2830, 3968, 6021; Muslim, Hadith no. 2704.

same. As disparate as they might be in this respect, all of them were commonly eager to follow the texts related to those acts of worship, unlike those which were not addressed by texts. Man was commanded to do so in general.

The one who makes particular anything with no evidence for particularization is like him who dissents from the concept of extension. If extension is not understood, we then should return to the principal foundation, which is to abide literally by the transmitted text, because if we deviate from it, we would doubt whether the act of worship is validated in this way or another. So, it is incumbent to abide by the transmitted text, with neither addition nor reduction.

Having understood the concept of extension, another thing should be put into consideration. Any deed should be performed in a manner that does not give the false impression that it should be done according to a particular way, at a certain point of time, and in a specific place; or that it is an act of Sunnah, or even an obligatory duty rather than being desirable and favorable in principal. That is because to do an act of worship regularly, in this very way, at that particular time, in the assemblies of people and the mosques, may give the false impression that it is an act of Sunnah, or even an obligatory duty, although it is not so.

Of course, every deed demonstrated by The Messenger of Allah “peace be upon him” and performed in congregation among the people is an obligatory duty; otherwise, an act of Sunnah in the sight of the scholars, like the prayers of both ‘Eeds, the eclipse and Istisqa’ prayers, and so. The ruling is different in case of standing the night (in prayer) and all the supererogatory deeds, which are desirable, and The Messenger of Allah “peace be upon him” urged the people to do them in secret, since harm lies in making them public, and spreading them among the people.

Another example for this foundation is to abide by supplication in congregation following the obligatory prayer, and make it public among the people. This will be explained, in detail, in its proper place, Allah willing.

7.4. A Chapter On Their Establishment Of Shari'ah Exoteric Meanings On Illogical Interpretations

A faction of them establish the Shari'ah exoteric meanings on interpretations that is irrational, claiming them to be intended by the lawgiver, rather than what is understood by the Arab native speaker, supporting their false claims against groundless fundamentals. They are, according to scholars, a sect whose main concern is to invalidate Shari'ah in general and detail, and publicize that among the people, so that the religion would wither. But since they could not do so explicitly, because their behavior would be rejected, and they themselves would fall in the hands of the rulers, they are forced to get around their intentions with many tricks. They divert the attention from the exoteric meanings under pretext that they have esoteric mysteries which are intended rather than the exoteric.

They say that all exoteric meanings of Shari'ah, in regard with the obligations, resurrection and gathering are but symbols and examples of further esoteric mysteries.

They allege, for instance, that the state of Janabah (ritual impurity) is that the caller hasten to invite the responder, by disclosing to him a secret before he attains the rank of worthiness; and Ghusl (taking bath) is to renew the pledge by the one who has done so.

To have sexual relation with a beast is to do a shameful fact with one who is incompetent for giving the pledge (of allegiance), by the one who has not paid the charity due on the private talk, which is one hundred and nineteen Dirhams. For this reason, Shari'ah made killing due upon both the doer and the one with whom this is done, otherwise, when should killing become due on the beast?

According to them too, a wet dream is to hasten to disclose a secret improperly, which makes Ghusl binding upon him, so that the pledge would be renewed for him.

Purification (ablution) is to get disassociated from the belief in a doctrine other than following the Imam.

To perform Tayammum (dry ablution) is to take from the permitted until it grows happy by seeing the caller and the Imam.

To observe fast is to abstain from disclosing the secret.

They have many false interpretations like this in regard with the Divine matters, and the affairs of obligations and the hereafter, all of which aim to circumvent to nullify Shari'ah in general and detail. These are the claimants of duality, claimants of time, and claimants of licentiousness, who deny Prophethood, Divine laws, resurrection, gathering, Paradise, Hell, angels, and

even the Divinity. It is those who are called the Batinites (Esoterists).

Moreover, they may stick to interpretation of letters and numbers: the hole in the man's skull are seven, the stars are also seven, and the week's days are seven, which means that the Imams are seven, with whom the matter will be perfected. The humors⁽¹⁾ of man are four, and the seasons of the year are four, which means that the four fundamentals go back to the previous and the later, i.e. both gods in their sights, and the speaker and the basis, i.e. their Imams. The twelve constellations are their twelve proofs.

They indeed are advocates to many such things, all of which do not deserve the difficulty of refutation. That is because any other faction of religious innovators may rely upon an allegation that could be open to discussion, unlike those Batinites, who exceeded the due limits of nonsense, and became exposed to every kind of backbiting and mockery of the people. They attribute those fallacies to their alleged infallible Imam. The principle of invalidating the Imams is well-known in the books of scholastic theology. Anyway, let us present a brief refutation of their argument.

Their claims may belong to the indisputably essential facts. But even, that is quite impossible, since the indisputably essential facts are common to all rational people in knowledge and perception; and this is not so.

Those may also belong to the alleged infallible Imam from whom they were heard directly. But let us ask him who made such an allegation: What led you to have trust in the Prophet Muhammad "peace be upon him" other than the miracle? Your alleged Imam has no such miracle. The Qur'an indicates that what is intended is its exoteric meanings, rather than the esoteric mysteries, as you have alleged.

It may be argued that the exoteric meanings of the Qur'an are but symbols to its esoteric mysteries understood only by the infallible Imam, and learnt from him. In reply to this, let us ask: How have you learnt them from him? Have you watched his heart by your own eyes or heard from it with your own ears? As far as hearing with the ear is concerned, it may be said that the apparent context of his wording has an esoteric mystery which you did not understand, nor did he let you know it, which means that what you understood from the apparent context of his wording is unreliable.

It may be argued too that the Imam stated explicitly: 'What I have mentioned is clear in which there is no symbol, or I have intended only the exoteric which has no esoteric mystery'. In reply to that, let us say: How have you known, with certainty, that what he had mentioned is clear which had no symbol? It may have an esoteric mystery which you did not understand too. Even were he to swear by explicit divorce that he had intended only the exoteric, his oath itself might be intended to be symbolic, i.e. to have an

(1) the four elemental fluids of the body, blood, phlegm, black bile, and yellow bile, regarded as determining, by their relative proportions, a person's physical and mental constitution.

esoteric rather than an exoteric meaning.

It may be argued that this (restricting the understanding of his words to only the exoteric) should be decided to close the gate of abstruse understanding. In reply to that, let us ask: Have you indeed decided it with The Messenger of Allah "peace be upon him"? To be sure, the main focal point of the Qur'an is to affirm monotheism (the Oneness of Allah Almighty), Paradise, Hell, resurrection, gathering, Prophets, Divine revelations, and angels. But even, you allege that its exoteric meaning is not intended, since it refers to an esoteric symbol and mystery. Being so, if this is permissible, in your sight, with The Prophet "peace be upon him" for an interest and mystery he might have in symbolism, it then would, more likely, be permissible for your infallible Imam to show something other than what he concealed, for an interest and mystery he might have in symbolism.

Abu Hamid Al-Ghazali "may Allah have mercy upon him" said: "It should be known that this faction of Batinites are the most specific among all the other straying factions. There is no faction whose doctrine could easily be refuted just with the same opinions of theirs other than this. Their doctrine is to invalidate reason, and change the words from their right meanings under claim of symbolism. All their statements mainly depend on reason or transmitted texts. As for reason, they invalidated it. As for the transmitted text, they made it permissible that the word might be intended to give a meaning quite different from its apparent one. In this way, they came to have no support to hold fast by it; and success lies with Allah."

Ibn Al-'Arabi mentioned another approach to refute their false claims, easier than this, which they have no power to challenge. It is to ask them 'why' at every claim of theirs. All of them who received this question were confounded. In this relevance, he related a nice story.

As false and invalid and far from the principles of Shari'ah as their doctrine might seem, it has been validated by a lot of factions, who established many hideous religious innovations on it.

A mention may be made here of the doctrine of Al-Mahdi Al-Maghribi, who claimed himself to be Al-Mahdi Al-Muntazhar (the Expected Well-Guided), and that he was infallible, and rendered a disbeliever anyone who doubted his infallibility or his being Al-Mahdi Al-Muntazhar.

His followers pretended that he composed a book about the imamate, in which he claimed that Allah Almighty had appointed as vicegerents Adam, Noah, Abraham, Moses, Jesus and Muhammad "peace be upon them"; and that the time of vicegercy was as short as thirty years, after which there were different factions, inclinations, prevailing niggardliness, and followed desires, and everyone admired his personal opinion whatsoever.

It remained as such with the false being apparent, the truth hidden, and knowledge taken away, as told by The Messenger of Allah "peace be upon him", and nothing survived of the religion other than its name, and of the

Qur'an other than its form, until Allah Almighty brought the Imam, with whom He revived the religion, in confirmation of the statement of The Messenger of Allah "peace be upon him": "Islam started as a stranger, and it will return to be as a stranger (as it started in view of the scarcity of such as act upon it): so, blessed be the strangers (who act upon it)." ⁽¹⁾ He told that his faction represents those strangers. That is nothing but a false claim, with no supportive evidence.

It is mentioned in this book that Al-Mahdi was brought by Allah Almighty, and his obedience is unprecedented clear, with whom the heavens have been established, and the earth would be stand right. He has neither an opposite, nor a like, nor a rival, nor does he tell a lie: Exalted and hallowed be Allah from what they describe. This resembles the Hadiths narrated by Abu Dawud and At-Tirmithi about the Fatimid, who claimed the same, and that he was this Mahdi without doubt.

The first commencement of showing his doctrine was that he stood and addressed his companions with the following sermon: "All perfect praise be to Allah, Who always does what He wills, and decrees what He pleases: there is no one to cancel out His command, nor is there anyone to argue about His judgment. May Allah Almighty send blessing and peace upon the Prophet (Muhammad), who gave the glad tidings of the emergence of Al-Mahdi, who will fill the earth with justice and fairness after it had been overwhelmed by injustice and wrongness. He will be sent by Allah Almighty when the truth will be abrogated with falsehood, and justice eliminated with injustice. His place will be in the farthest Maghrib, and he will appear towards the end of time, and his name will be the same as The Messenger of Allah "peace be upon him", and will belong to the Prophet "peace be upon him".

no doubt, the injustice and wrongness of the emirs and rulers have become prevalent, and the earth have been filled with corruption and mischief, and now we are towards the end of time, and there is one who enjoys the same name, has the same belonging and follows the same conduct (of the Prophet)" in reference to what is mentioned in the Hadiths about the Fatimid.

When he finished, ten of his companions hastened to him and said: "Those attributes exist only in you. You then are Al-Mahdi." Then, they gave him the pledge of allegiance for that. He invented many changes in the religion of Allah, not to mention his allegation that he was the same well-known Mahdi, and that infallibility was characteristic of him.

then, his name became an integral part of the sermons, and was inscribed in coinage; and his speech, in their sight, ranked third to both testimonies of faith, and whoever had no belief in it, or even doubted it, would be regarded a disbeliever, like all the other disbelievers. Killing was made valid, under

(1) 'Abdullah Ibn Mas'ud and Sahl Ibn Sa'd As-Sa'idi by At-Tabarani in Al-Awsat [Majma' Az-Zawa'id].

Shari'ah, on as many as eighteen occasions, on which it was not ordained by the lawgiver, such as not to comply with the command of him whose command is enforced, not to attend the instructive sermon for three times consecutively, to conduct adulation explicitly, and many others.

His doctrine was based on the exoteric religious innovations. But he also innovated many other things, like variations in the wording of Tathwib (in Athan), all of which were enacted during the era of Almohads, and remained, for the most part, even after the obliteration of their state; and I caught by myself some of them in the mosque of Granada.

Sultan Abu Al-'Ala': Idris Ibn Yusuf Ibn Ya'qub Ibn 'Abd-Al-Mu'min Ibn 'Ali⁽¹⁾, was one of them, before he detected to what extent their religious innovations were hideous. When he established himself as the caliph in Morocco, he commanded that all their previous religious innovations should be eliminated, and sent a message carrying the same order to all the regions and provinces under his sovereignty, in which he commanded to change this tradition; and advised the people to fear Allah, seek His aid, and rely on Him in all affairs; and confessed that he had discarded the falsehood and demonstrated the truth; and acknowledged that there was, and would be no Mahdi other than Jesus "peace be upon him" and that the falsely claimed Mahdi was but a religious innovation which he eliminated; and that he removed the name of him whose infallibility was unproven.

He mentioned that his father, Al-Mansur⁽²⁾, intended to do the same he did explicitly, and remove all aspects of mischief he did, but death did not enable him to do it. Then, when he died and was succeeded by his son, Abu Muhammad: 'Abd-Al-Wahid, titled Ar-Rashid⁽³⁾, a delegate of the people of that doctrine called Almohads came to him, and tried to appeal his sympathy, and ensured to him to be subject to his rule, and enter in his service, and defend him as much as they could, on condition that Al-Mahdi should be recognized as infallible, and his name mentioned in the sermons and official notes, and inscribed in the coins, and supplication be specified to him after the prayer, to the end of those conditions.

For some time, Ar-Rashid continued to follow the same method of his father, in regard with eliminating all of this. But when Almohads complied with his order, they put the condition that he should restore all things abandoned during the era of his father. When they took their positions for many days, and he did not respond to their demand, they had bad assumptions of him, and thought he would not fulfill his promise to them. The news of this reached Ar-Rashid, who, in turn, restored their things.

(1) The correct name is Abu Al-'Aliyy. See *Siyar A'lam An-Nubala'*, 22:342; *Shatharat Ath-Thahab*, 5:135.

(2) *Siyar A'lam An-Nubala'*, 21:311; *Wafiyat Al-A'yan*, 7:3.

(3) *Siyar A'lam An-Nubala'*, 22:343; *Shatharat Ath-Thahab*, 5:156.

Consequently, they grew so much pleased with that news, and gave the free rein to their tongues in supplication for their caliph to be helped and supported. Their delight included all of them, be they old or young. That is always the case of the religious innovator, i.e. to rejoice of nothing more than the spread and promulgation of his religious innovation: **{If anyone's trial is intended by Allah, you have no authority in the least for him against Allah.}** [Al-Ma'idah 41] All of this is centered upon the false claim of Imamate and infallibility, adopted by the Shiites.

8.4. A Chapter On Immoderate Exaltation Of Their Shaykhs

Some of those religious innovators exceed all due limits in exalting their Shaykhs so much that they estimate them more highly than their due. The moderate among them claim that there is no Wali (ally or intimate friend) to Allah Almighty greater than so and so. They may also close the gate of alliance to Allah against all the people after that person. But even, that is a clear falsehood and a hideous religious innovation. By no means could the later attain the same rank of the earlier. Without doubt, the best generation is of those who saw The Messenger of Allah “peace be upon him” and believed in him, and then those who came after them, and so on until the establishment of the Hour (of Judgment). the Muslims were the strongest in their religion, states, deeds and certainty of faith during the early time of Islam; and this will continue to decrease gradually until the end of this world.

But, at the same time, the truth will not disappear entirely: a sect will remain standing on and enforcing it, as much as is in proportion to their faith, which, anyway, will not be equal to the faith of the earlier generation. That is because were anyone of the later generations to spend gold as much as is the mountain of Uhud, it would not amount (in reward) to a Mudd or even half a Mudd spent by anyone of the Companions of The Messenger of Allah “peace be upon him”. since that is true of faith, it applies to all branches of faith, to which the experience is a witness.

It has previously been mentioned, in the beginning of this book, that the religion will continue to decrease; and that is a certain principle in which there is no doubt, according to the belief of the men of Sunnah and established community. So, how should anyone be thought to be the ally of Allah Almighty from among all inhabitants of the earth, and that there is no ally to Allah other than him? it is indeed the overwhelming ignorance, the excessive exaltation and fanaticism for cults that lead to the like of those beliefs, or even more extreme.

Others among them claim that their Shaykh is, at least, equal to The Messenger of Allah “peace be upon him”, except that he receives no Divine revelation. I have got this information from a sect of those who are excessive in exaltation of their Shaykh, like the claim adopted by the moderate disciples of Al-Hallaj about him, although the excessive fanatics among them have more hideous claims about him, just like the claims of the companions of Al-Hallaj about him.

I was reported by one recognized for justice and trustworthiness in narration that he said: “I spent some time in a desert village, where there were

many belonging to this sect referred to. One day, I came out of my house for some of my affairs. I saw two men sitting, and thought they were talking about their way. I came close to them stealthily, to hear what they were saying, as they were accustomed to conceal the mysteries of their way.

They talked about their Shaykh, and overestimated his position, and claimed that there was no one on the surface of the earth like him. they were elated by this discussion so much that one of them said to the other: "Do you like that I should tell you the truth? He is the Prophet." The other said: "Yes, that is true." He said: "I mean the inspired Prophet." I left this place, for fear I would be stricken by a calamity along with them."

That is the typical case of the Imamate Shiites. Had they not to commit excess in the religion, compete in supporting their doctrine, and strive themselves in the love for the religious innovator, their claims then would have been incredible.

But we should not forget that The Messenger of Allah "peace be upon him" said: "Verily, you will imitate the conventions of the previous nations very closely, span by span, and cubit by cubit; and even if they entered into a hole of a lizard, you would follow them." We said: "O Allah's Apostle! Do you mean The Jews and The Christians?" The Prophet "peace be upon him" said: "Who else?"⁽¹⁾

Those religious innovators commit excess in their religion, just as the Christians had committed excess in Jesus "peace be upon him", when they said that Allah is the Christ, son of Mary⁽²⁾. In refutation of that, Allah Almighty said: Say: "O People of the Book! exceed not in your religion the bounds (of what is proper), trespassing beyond the truth, nor follow the vain desires of people who went wrong in times gone by, who misled many, and strayed (themselves) from the even Way." [Al-Ma'idah 77]

The Messenger of Allah "peace be upon him" said in another Hadith (addressing his Companions): "praise me not too highly in the same way as the Christians overestimated Jesus, son of Mary (claiming he is Allah or the son of Allah), but say (about me): 'He is Allah's slave and Messenger.'"⁽³⁾

Those classes of men have so many religious innovations in the different branches of Shari'ah. If a religious innovated is made in the foundation, it will be easier to enter into the branches.

(1) It is narrated on the authority of Abu Sa'eed Al-Khudri. Sahih Al-Bukhari, Hadith no. 7320.

(2) He refers to Allah's saying: {In blasphemy indeed are those that say that Allah is Christ the son of Mary. Say: "Who then has the least power against Allah, if His Will were to destroy Christ the son of Mary, his mother, and all, everyone that is on the earth?} [Al-Ma'idah 17].

(3) It is narrated on the authority of Ibn 'Abbas from 'Umar Ibn Al-Khattab. Sahih Al-Bukhari, Hadith no. 3261; Ibn Hibban, Hadeeth no. 414, 415, 6206; 'Abd-Ar-Razzaq in Al-Musannaf, 5:441, 11:273, Hadith no, 20524.

9.4. A Chapter On These Of The Weakest Proofs Who Attest Their Acts By Stations Only

The men who have the weakest proofs are some who support their acts and deeds to stations only, because of which they do and leave what seems to them. They say, for instance, “We have seen, in a dream, so and so, the righteous man, who told us to do so and so and leave so and so.” This always happens with a lot of those who claim to belong to Sufism. Anyone of them may say: “I have seen The Messenger of Allah “peace be upon him” in a dream, and he commanded me to do so and so, and to leave so and so.” Consequently, he acts upon that vision only, by which he leaves the limits stipulated by Shari‘ah.

That is indeed a clear mistake. In no way could any Shari‘ah judgment be build on a vision seen by anyone other than the Prophets, unless it is compared against the Shari‘ah rulings we have: if it is validated by them, we then should act upon it, otherwise, it should be left; and the benefit of the vision remains to give the glad tidings or warning. But the vision is not effective as far as the Shari‘ah rulings are concerned.

In this respect, it is narrated from Al-Kittani that he said: “I saw The Messenger of Allah “peace be upon him” in a dream and said to him: “Supplicate Allah that He should not cause my heart to die.” He said to me: “Say forty times every day: ‘O Allah, Ever-Living, Self-Subsisting, Eternal: there is no god (to be worshipped) but You.’” Those are indeed good words, without doubt. That the remembrance of Allah Almighty gives life to the heart is valid, under Shari‘ah; and the vision’s benefit is just to alert man to good, as a kind of glad tidings. But the problem lies in fixing a certain number for it. In absence of abidance by it, it could be right.

It is narrated from Abu Yazid Al-Bistam “may Allah have mercy upon him” that he said: “I saw my Lord in a dream and said to Him: “What is the way to You?” he said: “Leave your own self and come to me (only with your heart).”” Such words may exist, and to act upon that is valid, under Shari‘ah. It guides to the place of evidence. To leave one’s own self is to abandon its inclinations and desires, and devote oneself to worship. Some Quranic Verse indicate to this meaning. For example, Allah Almighty says: **{And for such as had entertained the fear of standing before their Lord's (tribunal) and had restrained (their) soul from lower Desires, Their Abode will be the Garden.}** [An-Nazi‘at 40-41] Many are the like of this.

If one sees in a dream somebody saying to him that so and so has committed theft, so you should cut off his hand; or that so and so is a scholar, so ask him and act upon what he is going to tell you; or that so and so has

committed adultery, so you should execute the legal punishment upon him, and the like of such things, it will be invalid to act upon that unless there is a witness to it during wakefulness, otherwise, he will not act according to Shari'ah, since there is no revelation to be received by anyone after The Messenger of Allah "peace be upon him".

It should not be relied on the argument that the vision is one of the parts of Prophethood, and that the one who tells in it may be The Messenger of Allah "peace be upon him" who said: "Whoever sees me in a dream has indeed seen me, since Satan could not appear in my form", which requires that his telling in the dream is like his telling during wakefulness.

In reply to that, let us say that it is true that the vision is one of the parts of Prophethood. But it does not represent the perfect revelation. It is only one part of it; and a part acts as the whole only in some rather than all points. The main point of the vision is to give the glad tidings or warning, and no more.

In order for a vision to be one of the parts of Prophethood, It is requisite to be a good and true vision, seen by a righteous man; and the conditions are open to discussion: they may or may not be available.

It is divided into a dream, which comes from Satan, the self thoughts, and that which results from the agitation of one of the four humors in the body. Then, when should anyone of those be judged as good and true in order to establish a ruling on it?

Being so, it requires to claim that there is still revelation to be received by human beings even after The death of the Messenger of Allah "peace be upon him", which is forbidden, by consensus.

It is related that once, Shuraik Ibn 'Abdullah⁽¹⁾, the Judge, entered upon Al-Mahdi⁽²⁾, the caliph, and when he saw him, he said: "Bring me the sword!" he asked: "What is the reason, O Commander of Believers?" he said: "I have seen, in a dream, as if you are treading my carpet while turning your face from me. When I related it to one who interprets the dreams, he said: "He shows obedience to you, and conceals disobedience." on that, Sharik said to him: "By Allah! Neither your dream is that of Abraham, Allah's Intimate Friend "peace be upon him" (so that you should fulfill it), nor your interpreter is Yusuf As-Siddik "peace be upon him" (so that it should come true). Do you chop off the heads of the believers only depending upon the false dreams?" Al-Mahdi then felt shy and asked him to come out, and he did accordingly.

It is narrated on the authority of Al-Ghazali from one of the Imams that he gave a fatwa to kill a man because of his adoption of the claim that the Qur'an is created. When he was discussed about that fatwa, he attested it by arguing that a man saw in a dream Iblis having passed by the gate of Medina and did not enter it. He was asked: "Why have you not entered it?" he said: "I

(1) Al-Bidayah Wan-Nihayah, 10:171; Siyar A'lam An-Nubala', 8:200.

(2) Siyar A'lam An-Nubala', 7:400; Shatharat Ath-Thahab, 1:230.

am not in need of entering it, because there is a man stating that the Qur'an is created." The intended man stood and said: "If Iblis gives fatwa during wakefulness that I should be killed, then, would you act upon his fatwa?" They answered in the negative, thereupon he said: "His statement in the dream is just like his statement during wakefulness."

As for the vision in which The Messenger of Allah "peace be upon him" tells about a judgment, it should be put to scrutiny: if he tells of a judgment that corresponds with his law, there will be no harm, since the judgment has already been established; and if he tells about a judgment that disagrees with his law, that is quite impossible, since The Messenger of Allah "peace be upon him" is not to abrogate his law which he established during his life. The stability of the religion should not be vulnerable to any change after his death because of dreams, as this is invalid, by consensus. To see anything like this does not bring about any ruling whatsoever. At that point, we say that his dream is not valid: were he to see him (the Prophet) in truth, he would not tell him about anything in opposition to his law.

But the statement of the Prophet "peace be upon him" "Whoever sees me in a dream has indeed seen me" still needs further discussion. It is open to two interpretations:

The first was mentioned by Ibn Rashid "may Allah have mercy upon him" when he was asked about a judge who was studying a case and two trustworthy witnesses gave their witness before him; and at night, he saw in a dream The Messenger of Allah "peace be upon him" who ordered him not to judge by that witness, under pretext that it was false. Ibn Rashid argued that it is unlawful for this judge to abstain from enforcing this witness, for this is to nullify the Shari'ah rulings only depending upon the vision. That is invalid, and to believe in it is wrong. No one knows the unseen, as far as the vision is concerned, but the Prophets, whose vision acts as revelation, unlike the others, whose vision is only one of forty-six parts of Prophethood.

He resumed: His (the Prophet's) statement 'Whoever sees me in a dream has indeed seen me' does not mean that everyone who sees in his dream that he has seen him has indeed seen him in truth. The evidence is that one person may see him many times in different images; and many persons may see him in various forms different from each other, given that it is impermissible for the image and form of The Messenger of Allah "peace be upon him" to differ by the difference of the seers. the real meaning of the Hadith is that whoever sees me in a dream in the same image and form in which I was created has indeed seen me in truth, since Satan could not appear in my real form. He did not say that whoever sees in a dream that he has seen me has indeed seen me. But he said that whoever sees me in a dream has indeed seen me in truth. How should a seer who sees in a dream that he has seen him in a certain form be sure that he has seen him in the same form in which he was created unless he knows, without doubt, that this image in which he has seen him is really his? This is

too difficult for anyone to know.

This is transmitted from Ibn Rashid. In sum, the object of vision may be someone other than The Messenger of Allah “peace be upon him” even though the seer thinks that he is the Prophet himself.

The other is adopted by the scholars of interpretation of dreams. That is, Satan may come to someone in the form of one of the seer’s acquaintances, and point out another man to him, claiming him to be the Prophet, or so and so, the king, or anyone of those in whose form Satan could not appear, thereby putting the seer to confusion, although it has a characteristic sign by which they recognize it. This pointed out person then may order him to do something, or forbid him to do something in opposition to the law, giving the seer the false impression that he receives the command and forbiddance from The Messenger of Allah “peace be upon him”, although it is not so. In this case, he should not rely on his statements, commands or forbiddances.

The command and forbiddance of this kind are more entitled to disagree with the law, for should they agree with it, there will be no problem at all. It is true that no judgment should be passed only depending upon the vision unless it is ascertained by knowledge, in avoidance of confusion. In brief, no one attests judgments only by the vision but a weak-minded. The main advantage of the vision is to give glad tidings or warning, on condition that no judgment should be decided on the basis of it. That is the moderate approach to act upon it, as understood from Shari‘ah; and Allah knows best.

10.4. A Concluding Chapter

We saw it better to conclude this section with a comprehensive chapter, including a set of the previously mentioned attestations, and other points. I believe it is needed here, as much as is related to both time and status. As relatively long as it might seem, it serves our issue, Allah willing.

It was asked about a group of people called poor, claiming to follow the way of Sufism. They gather in virtuous nights and start to remember Allah loudly on one voice, after which they go on singing and dancing to the end of the night. Some people calling themselves jurisprudents attend with them, and put on the conduct of the Shaykhs who guide to that way: is this deed valid or invalid, under Shari'ah?

The answer is that all of those things are newly invented religious innovations, opposed to the way of The Messenger of Allah "peace be upon him" and his Companions, and those who follow them with good conduct. May Allah benefit with that whomever He pleases of His servants.

When this answer reached some cities, their inhabitants rebelled against the perpetrators of those religious innovators, who, feeling afraid lest their way would be obliterated, and they would lose their positions, wanted to defend themselves, after they had claimed to follow the Prophetic Sunnah, and belong to the major Shaykhs of Sufism, whose merit was proven, and their way recognized for their devotion to Allah Almighty and acting upon the Prophetic Sunnah. But they failed to attest their religious innovations, since they opposed the way of their Shaykhs, who established their cult on three principles: to imitate The Messenger of Allah "peace be upon him" in manners and acts, to eat only the lawful, and to be sincere to their intention in their deeds. Therefore, those religious innovators dissented from them in those principles, which means that they could no longer belong to them.

It happened that a question similar to that was raised to a respectable Shaykh. But the asker embellished its appearance so much that made its inside almost hidden from anyone without deep reflection. He, May Allah pardon him, gave his answer according to what seemed to him from its appearance, without reflection on what they were practicing of religious innovations and errors. When one of them heard about this answer, he sent it to another city. He brought it, and carried it to a city other than his, and publicized among his partisans that he had an invincible argument for their way, and asked for debate in it. When he was invited for debate, he could not withstand even for a moment. But he said: "That is my argument." He then threw the card which had the handwriting of the Shaykh who had previously given his answer about the question. He, his lovers and partisans grew so much happy with this card.

The question reached Granada, and all the scholars there were asked to consider it. All the people who had the power to consider it could but give their answer according to what is right concerning it, since that is out of sincerity in advice which constitutes the upright religion and the straight path.

The question read as follows: "What is the opinion of Shaykh so and so about a group of people who gather on the virtuous nights in a hospice on the bank of the sea, to recite a section of the Qur'an, listen to some pieces from the books of religious instructions and Raga'iq (heart-melting words) as much as they could, and remember Allah with different words of Tahlil, Tasbih and Taqdis; and then a chanter from among them stands and sings something in praise of the Prophet "peace be upon him", and some songs which attract the souls and appeal the hearts, about the attributes of the righteous men, and remembrance of Allah's favors and blessings, and enthralls them by mentioning the places of Hijaz and the stations of the Prophet "peace be upon him"; thereupon they would be elated out of longing for that, and eat whatever food is available to them, praise Allah Almighty, invoke Allah's blessing and peace upon The Prophet "peace be upon him", and raise their voices with supplications for the rectitude of their affairs, and all the Muslims and their Imam; and then they leave?"

Is it permissible for them to gather for the sake of what has been mentioned above? Or should they be prevented, and their conduct be disapproved of for them? If anyone of the lovers invites them to his house, seeking their blessing, should they or should they not accept his invitation and gather on the same way referred to?"

He answered as follows: "No doubt, the gatherings in which the Qur'an is recited and Allah is remembered are the gardens of Paradise." Then, he brought evidences for the fact that the remembrance of Allah is required.

"As for chanting poetry, no doubt, the poetry is but words, and the good thereof is good, and the bad thereof is bad. Allah says in the Qur'an about the poets of Islam: **{Except those who believe, work righteousness, engage much in the remembrance of Allah, and defend themselves only after they are unjustly attacked. And soon will the unjust assailants know what vicissitudes their affairs will take!}** [Ash-Shu'ara' 227]

It is narrated that Hassan Ibn Thabit, 'Abdullah Ibn Rawahah and Ubai "Allah be pleased with them" went on weeping when they heard Allah's saying: **{and the Poets, it is those straying in Evil, who follow them; See you not that they wander distractedly in every valley? And that they say what they practice not?}** [224-226] Allah Almighty revealed the exception (mentioned in 227). They used to recite poetry in front of The Messenger of Allah "peace be upon him"; and The Messenger of Allah "peace be upon him" showed great sympathy, and his eyes shed tears when he heard the poetic verses of the sister of An-Nadr, as he "peace be upon him" was predisposed, by nature, to kindness and mercy.

As for affectation of passion on hearing of songs, it results from the movement of the heart due to the extreme internal delight of the spirit, which is reflected on the outside appearance. Allah Almighty says: **{For Believers are those who, when Allah is mentioned, feel a tremor in their hearts.}** [Al-Anfal 2]

The tremble of the heart leads to the tremble of the body. In confirmation of that, He Almighty says: **{if you had come up on to them, you would have certainly turned back from them in flight, and would certainly have been filled with terror of them.}** [Al-Kahf 18] He also says: **{Hasten you then (at once) to Allah.}** [Ath-Thariyat 50] the affectation of passion then is a psychological sympathy, heart tremor and spiritual uprising. Affectation of passion, in this sense, is not disapproved of by Shari'ah.

As-Sulami mentioned that he always quoted the following Holy Verse in favor of affectation of passion on hearing: **{We gave strength to their hearts: behold, they stood up and said: "Our Lord is the Lord of the heavens and of the earth: never shall we call upon any god other than Him: if we did, we should indeed have uttered an enormity!"}** [Al-Kahf 14] he used to say: "Verily, the hearts are attached to the dominion of the invisibles, and moved by the lights of the words of Thikr, and the variety of songs they receive."

But whatever elation is beyond that is condemned, where the outside appearance opposes the inside spirit. It is this which is intended to stimulate the activities and awaken the sleeping hearts. It is true that The Prophet "peace be upon him" said: "O people! You should weep, otherwise, you should force yourselves to weep."⁽¹⁾ But how different are they!

Whoever invites a group of people to his house, his invitation should be accepted, and he will have (his reward according to) his intention.

That is what seems to me from the apparent context of the state mentioned in the question; and it is Allah Almighty Who watches over the secrets, and the (reward of the) deeds depend upon the intentions."

From this answer, it seems to me:

Concerning the gatherings of the valid Thikr, they will be regarded valid if they do in them the same things on which the righteous predecessors used to gather. They used to gather in order to study the Qur'an, and learn from each other, and take knowledge from each other. It is, in this sense, one of the gatherings of Thikr, in connection with which it is narrated on the authority of Abu Hurairah "Allah be pleased with him" from The Messenger of Allah "peace be upon him" that he said: "No people assemble in one of the houses of Allah (mosques) to recite the Book of Allah and learn and teach the Qur'an (among themselves), but that tranquility descends upon them, mercy covers them, the angels surround them, and Allah makes a mention of them in the

(1) Ibn Majah, Hadith no. 4196; Kanz Al-'Ummal, Hadith no. 2794.

presence of those (of the heaven who are) near Him.”⁽¹⁾ That is what the Companions "Allah be pleased with them" understood from gathering on the recitation of the words of Allah.

The same applies on gathering on Thikr, which is, indeed, to gather on the remembrance of Allah Almighty, in connection with which he “peace be upon him” said, according to another narration: “No people sit to remember Allah Almighty but they are surrounded by angels and covered up by Mercy, and tranquility descends upon them as they remember Allah, and Allah makes a mention of them to those who are near Him.”⁽²⁾

But this does not mean that they may gather and remember Allah on one voice. If the people gather to remember the favors and blessings of Allah, or to study knowledge in case they are scholars, or a scholar and students who sit to learn from him, or gather to remind each other of acting upon the obedience of Allah and avoiding disobedience, and the like of those things which The Messenger of Allah “peace be upon him” and his Companions and their successors after him did, those will be really gatherings of Thikr, for which there is a reward, as has already been mentioned.

It is narrated from Ibn Abu Laila that he was asked about telling narrations, thereupon he said: “I have caught up with the Companions of The Messenger of Allah “peace be upon him” and they used to talk, each of what he had heard. But they did not sit as an orator and his listeners. They also gathered in the mosque, as we see now, as a teacher along with his students, to teach them the Qur’an, or a piece of Shari’ah knowledge; or along with the laymen to instruct them in the affairs of their religion, remind them of Allah Almighty, explain them the Sunnah of their Prophet “peace be upon him” to act upon it, and clarify to them the religious innovations which are errors, to beware of them, and avoid acting upon them.”

Those are the gatherings of Thikr, in reality, of which Allah Almighty has deprived those poor who claimed they were the followers of Sufism. Almost all of them could neither recite even Al-Fatihah perfectly in the prayer except with errors, nor know how to worship Allah, how to perform abstention, how to offer ablution, and how to take bath to get clean from the state of Janabah. How could they know that, given that they have been deprived of the gatherings of Thikr, which the mercy covers up, tranquility descends upon, and the angels surround?

When this light dissipated from them, they have gone astray, and followed ignorant men like them, and started to recite the Prophetic Hadiths and the Quranic Verses, and subjugate them to interpretation based on their opinions and inclinations, rather than on the statements of the scholars, thereupon they

(1) Sahih Muslim, Hadith no. 2699; At-Tirmithi, Hadith no. 2946; Abu Dawud, Hadith no. 1455; Ibn Majah, Hadith no. 225.

(2) Sahih Muslim, Hadith no. 2700.

deviated from the straight path.

Their habit is to gather together, and one of them, of sweet voice, pleasant tone and good melody, recites a part of the Qur'an, in a way like condemned singing, after which they say: "Let us remember Allah." They then remember Allah with raised voices by turns, each group in one direction on one voice like singing. They claim that such is one of the recommended gatherings of Thikr.

But they tell lies. Had it been valid (under Shari'ah), the righteous predecessors would have been more entitled to understand and act upon it. In confirmation of that, Allah Almighty says: **{Call on your Lord with humility and in private: for Allah loves not those who trespass beyond bounds.}** [Al-A'raf 55] Those who trespass beyond bounds, according to the Tafsir, are the men who raise their voices with invocation.

it is narrated in Al-Bukhari on the authority of Abu Musa "Allah be pleased with him" that he said: We were in the company of The Messenger of Allah "peace be upon him" (during Hajj). Whenever we went up a high place we used to say: "There is no God but Allah, and Allah is Greater." Our voices used to rise, so The Prophet "peace be upon him" said: "O people! Be merciful to yourselves (by not raising your voice), for you are not calling a deaf or an absent one, but indeed, you are calling One Who is with you, no doubt He is All-Hearing, ever Near (to everything)." ⁽¹⁾

This Hadith explains the Holy Verse. Although they "Allah be pleased with them" did not glorify Allah on one voice, he "peace be upon him" forbade them to raise their voices, in order to comply with the command given in the Quranic Verse. It is reported from the righteous predecessors that they forbade to gather on Thikr and supplication in the very constitution those religious innovators do. They also forbade to visit those mosques taken for that rite in particular, i.e. those hospices which they called the Suffah. The narrations brought by Ibn Wahb and Ibn Waddah in this respect is sufficient for the one whom Allah granted success ⁽²⁾

In sum, those (religious innovators) had good assumption of themselves when they thought they were right in their behavior, and, at the same time, had bad assumption of the righteous predecessors, the men of the clear preponderant deed and valid religion. When they were required to bring proof in support of their argument, they supported themselves against the words of the answerer and did not act upon it, and rather attributed to him things disapproved of by the scholars.

However, he clarified this issue in more detail in another place when he was asked about the Thikr of the poor men of our time, thereupon he told that

(1) Al-Bukhari, Hadith no. 2830, 3968, 6021; Muslim, Hadith no. 2704.

(2) For further information, see Fatawa Ibn Taimiyah, vol. 23; Al-Fatawa Al-Kubra, 2:212; Zad Al-Ma'ad, vol. 1; Fath Al-Bari, vol. 12.

the gatherings of Thikr pointed out in the Hadiths are those in which the Qur'an is recited, knowledge and religion are learnt and studied, and which are filled with knowledge, religion, and reminding the people of the hereafter, Paradise and Hell. They are like the gatherings of Sufyan Ath-Thawri, Al-Hasan, Ibn Sirin, and their fellows.

As for the gatherings of verbal Thikr, they are stated explicitly in the Hadith of the wandering angels, in which there is no mention of raising the voices with words loudly. But the basic rule which is valid under Shari'ah is to perform the obligatory deeds publicly, and he supererogatory deeds secretly. He quoted the Quranic Verse (already mentioned), and the statement of Allah Almighty: **{Behold! he cried to his Lord in secret.}** [Maryam 3] he also quoted the Hadith in which The Messenger of Allah "peace be upon him" said: "O people! Be merciful to yourselves (by not raising your voice), for you are not calling a deaf or an absent one."

As for the poor of this time, they are characterized by signs and raised voices, which makes them closer to trespassing the due bounds than to the imitation (of the righteous predecessors), and their way closer to being a source of living and profession than being an act of worship and an obedience thereby to come near Allah Almighty.

That is the end of his answer, which I abridged, and omitted most quotations from. It indicates that his fatwa which those religious innovators used as evidence to support their argument is quite different from the context in which they functioned it.

When he was asked in this present fatwa about the poor men of this time, he condemned them in his answer, and told that the Hadith of The Messenger of Allah "peace be upon him" did not address their deed.

But in the former, he was asked about a people who gather to recite the Qur'an, or remember Allah Almighty. This question applies to a people who gather, for instance, in the mosque, with each reciting the Qur'an or remembering Allah solely, as well as to the gatherings of the teachers and learners, or their likes of what has already been mentioned, which the scholars could but appreciate and highlight their reward.

When he was asked about what the religious innovators do in the gatherings of recitation of the Qur'an and Thikr, he clarified what a successful one should rely on in this respect; and there is no success but by Allah, the Most High, The Great.

As for chanting poetry, it is permissible to recite and also listen to poetry in which there is no mention of sex or immorality, in the very manner it was recited in front of The Messenger of Allah "peace be upon him", or the Companions and Tabi'is, and scholars whose conduct is imitated by others. It is well-known that poetry used to be recited and listened to, due to many benefits, including:

To defend The Messenger of Allah "peace be upon him" and Islam and

its men. For this reason, Hassan Ibn Thabit "Allah be pleased with him" had a pulpit in the mosque on which he used to recite poetry whenever the delegates came, to the extent that they said about him: "His (the Prophet's) spokesman is more eloquent than ours, and his poet more impressive than ours." The Messenger of Allah "peace be upon him" used to say to him: "Lampoon them, and Gabriel is with you." That is a part of Jihad in the Cause of Allah. The poor have no superiority to others in listening to poetry, no matter how little or much it might be.

To use poetry to offer their needs: they, more often, sought the intercession of poetry, by presenting some poetic verses as introductory to raise their demands. A typical example is what Ka'b Ibn Zuhair "Allah be pleased with him" and the sister of An-Nadr Ibn Al-Harith "Allah be pleased with her" did, and the great poets do now. There is no sin in this behavior, as long as the poetry contains nothing impermissible.

That is the habit of the poets along time. They present their poetry to the kings, caliphs and the men in power in a form of poetic verses, ahead of their needs and demands. That is the conduct of the poets of our time who devote themselves to help the people raise their needs and complaints, given their power to get their earnings by themselves.

The Messenger of Allah "peace be upon him" said in an authentic Hadith: "No charity should be given to a wealthy or a person who has enough power to get his earnings."

They recite poetry in which there is the mention of Allah and His Messenger "peace be upon him" and, more often, things impermissible under Shari'ah. They beg others by the mention of Allah and His Messenger "peace be upon him" in the markets and the dirty places, thereby to take what is in the hands of the people, with melodious voices which could tempt the women and the irrational among the men.

To recite poetry in the journeys of Jihad, thereby to trigger the uninteresting souls, and urge the riding mounts to become active with their heavy burdens. But the Arabs were short of the sweet tones with which the people nowadays are familiar. They used to recite poetry, without learning how to vibrate and quiver their voices in it as much as is the case with the people at present, who make smooth and protract their voices in a way unfit for the illiterate Arabs, who did not know the various arts of music.

For this reason, there was neither pleasure nor amusing melody in their recital in the past. Their main concern was activation and refreshment of endeavor, as was the case with Al-Habashi and 'Abdullah Ibn Rawahah "Allah be pleased with them" used to chant in front of The Messenger of Allah "peace be upon him", and the Ansar used to say when digging the trench: "It is we who have given the pledge of allegiance to Muhammad, for Jihad as long as we survive." The Messenger of Allah "peace be upon him" used to reply to them saying: "O Allah! There is no good except that of the hereafter: O Allah!

Forgive for the Ansar and the Muhajirs.”⁽¹⁾

To set forth a similitude to oneself with one or more poetic verses of wisdom, by way of admonition and instruction, for the purpose of activation and stimulation of feelings and emotions to act upon the poetic meanings.

In this connection, it is narrated on the authority of Abu Al-Hasan Al-Qarafi As-Sufi from Al-Hasan that some people came to ‘Umar Ibn Al-Khattab "Allah be pleased with him" and said: “O Commander of Believers! We have an Imam whose habit is to sing poetry whenever he finished from his prayer.” ‘Umar asked: “Who is he?” a mention was made to him of the man, thereupon he said: “Let us go to him. Indeed, if we invited him, he might think we have spied on him.”

‘Umar then stood, along with a group of the Companions of The Messenger of Allah “peace be upon him” and went to the man who was in the mosque. When he saw ‘Umar, he stood and received him kindly and said: “O Commander of Believers! What is your need? What has led you to come here? If we have a need, we then would be more entitled to come to you; and if you have a need, then, the most entitled to be honored by us is the successor of The Messenger of Allah “peace be upon him”.

‘Umar said to him: “May Allah bestow mercy upon you! I have been informed of something about you which aggrieved me.” He asked: “What is it O Commander of Believers?” he said: “Do you buffoon in your worship?” the man said: “No, O Commander of Believers! But it is a piece of instruction therewith I admonish myself.” ‘Umar said to him: “Then, recite it in front of us: if it is good, I will say it with you; and if it is bad, I then will forbid you to say it.” When he recited it, ‘Umar "Allah be pleased with him" repeated the last verse thereof, out of admiration for it and then said: “Let everyone sing as such, who likes to sing.”

Consider here his statement to him: “I have been informed of something about you which aggrieved me” and then his asking him, by way of disapproval of his conduct: “Do you buffoon in your worship?” But when he told him that he was just repeating poetic verses of wisdom to admonish himself therewith, he validated that from him.

That was the conduct of the people in the past. Meanwhile, they activated their souls and admonished themselves not only by poetry, but also by all possible kinds of instruction and admonition. They did not bring singers to sing poetry for them, since that was not their main concern, nor did they have such singing as is used in those days of ours. This singing appeared after them, esp. when the non-Arabs mixed with the Muslims.

Abu Al-Hasan Al-Qarafi clarified this by saying: “No doubt, these of the first generation should be taken to establish the argument against the succeeding generations. They did not melodize nor intone poetry with the

(1) Al-Bukhari, Hadith no. 2834, 2835, 2961, 3790, 3796, 4099, 4100, 6413, 7201.

most pleasant and the sweetest melodies and tones (as is the case today), except as far as to make articulate the poetic verses and rhymes. If it happened that the voice of anyone of them was more melodious than another, this would go back to his natural disposition, in which they were neither artificial nor ostentatious.”

That is his statement. For this reason, the scholars stated that this modern singing of poetry is unfavorable. When Malik Ibn Anas was asked about the singing used by the inhabitants of Medina, he said: “That is the conduct of the wicked among them.” Therefore, the early men also regarded listening a part of the way of worship, and a means to make tender the souls and make smooth the hearts. They came to do it intentionally, and aim at the virtuous nights to gather together for the purpose of the loud celebration, profanity, dancing, crying, intermixing, and striking the feet against the ground according to the measure of the rhythmic instruments and tones.

Are such things referred to in the words and sayings of The Messenger of Allah “peace be upon him”, which are transmitted through authentic Hadiths, or in the conduct of the righteous predecessors or anyone of the learned scholars? Do the words of the answerer give that meaning?

When he was asked about chanting poetry with the use of tambourines as is done nowadays by the Mu’aththins in the supplications they recite a short while before dawn, he told that it is a double of religious innovations. That is because reciting supplication with the use of tambourines is a religious innovation, and chanting poetry and poems is another religious innovation, as this was not common during the time of the righteous predecessors, whose conduct should be imitated.

That the affectation of passion on hearing is a trace of psychological sympathy and heart tremor, as mentioned by the answerer, no clarification was given to the concept of that effect, as well as no explanation was presented to what is intended by the psychological sympathy, to contribute in understanding the affectation of passion among the Sufis. According to his words, there is an apparent trace visible on the body of the one who affects passion. This trace, however, needs explanation. The affection of passion in his words also needs further explication.

What seems from the affectation of passion is that its trace does not go beyond what used to be visible on some of the Companions of The Messenger of Allah “peace be upon him” in regard with weeping and tremor of skin as a result of fear which impressed the hearts. That is the description given by Allah Almighty to His believing servants (on hearing the Qur’an) when He said: **{Allah has revealed (from time to time) the most beautiful Message in the form of a Book, consistent with itself, (yet) repeating (its teaching in various aspects): the skins of those who fear their Lord tremble thereat; then their skins and their hearts do soften to the celebration of Allah's praises.}** [Az-Zumar 23] He further said: **{And when they listen to the**

revelation received by the Messenger, you will see their eyes overflowing with tears, for they recognize the truth.} [Al-Ma'idah 82] He also said: **{For Believers are those who, when Allah is mentioned, feel a tremor in their hearts, and when they hear His Signs rehearsed, find their faith strengthened, and put (all) their trust in their Lord; Who establish regular prayers and spend (freely) out of the gifts We have given them for sustenance: Such in truth are the Believers.}** [Al-Anfal 2-4]

It is narrated on the authority of 'Abdullah Ibn Al-Shakhr⁽¹⁾ "Allah be pleased with him" that he said: I came to The Messenger of Allah "peace be upon him" and he was praying, and his breath was sounding like the sounding of the cooking vessel, out of weeping.⁽²⁾

It is narrated on the authority of Al-Hasan that he said: Once, 'Umar Ibn Al-Khattab "Allah be pleased with him" recited: **{Verily, the Doom of the Lord will indeed come to pass; There is no one can avert it; On the Day when the firmament will be in dreadful commotion. And the mountains will fly hither and thither.}** [At-Tur 7-10] On that he was shaken so much violently (that he fell ill) and continued to be visited by the people to inquire about his health for twenty days.

It is narrated on the authority of 'Ubaidullah Ibn 'Umar⁽³⁾ that he said: Once, 'Umar Ibn Al-Khattab "Allah be pleased with him" led the Fajr prayer and opened the prayer with Surat Yusuf. He went on reciting it until when he reached Allah's saying: **{and his eyes became white with sorrow, and he fell into silent melancholy}** [Yusuf 84] he wept so much that he paused (from recitation)."

According to another version, he went on reciting until when he reached Allah's saying: **{He said: "I only complain of my distraction and anguish to Allah, and I know from Allah that which you know not}** [Yusuf 86], he wept so much that his whimper was heard from behind the praying rows.

It is narrated on the authority of Abu Salih that he said: When the people of Yemen came during the caliphate of Abu Bakr "Allah be pleased with him" they heard the Qur'an, thereupon they went on weeping. On that Abu Bakr said to them: "As such we were until our hearts hardened."

It is narrated on the authority of Ibn Abu Laila that he recited Surat Maryam until when he reached Allah's saying: **{Whenever the Signs of (Allah) Most Gracious were rehearsed to them, they would fall down in prostrate adoration and in tears}** [Maryam 58], he fell in prostration. Then, when he raised his head, he said: "We do fall in prostration (as they did), why are we not weeping (like them)?"

(1) Tahthib At-Tahthib, 5:251; At-Tabaqat Al-Kubra, 7:24.

(2) An-Nasa'I in his Sunan, 3:13; Ahmad in his Musnad, 4:25, 26; Riyad As-Salihin, Hadith no. 450.

(3) Siyar A'lam An-Nubala', 6:304; Shatharat Ath-Thahab, 1:219.

There are many other traditions, indicative of the fact that the natural effect of instruction is just like this.

Similarly, some people quoted the following Holy Verse in favor of affectation of passion on listening: **{We gave strength to their hearts: behold, they stood up and said: "Our Lord is the Lord of the heavens and of the earth: never shall we call upon any god other than Him: if we did, we should indeed have uttered an enormity!"}** [Al-Kahf 14] According to some commentators of the Qur'an, when Allah Almighty cast faith into their hearts, they came to the Roman emperor Decius, their disbelieving king. A rat or a cat moved, of which he felt afraid. On that the youths looked at each other, and could not help standing and declaring publicly their faith in monotheism, supporting their argument with evidence and proof, and disapproving of the king's disbelief, and sacrificing themselves in the Cause of Allah Almighty. He gave them a promise, and then failed in his promise to them, thereupon they agreed to come out to the cave... to the end of the story related by Allah in His Book.

In this, there were neither cries, nor swoon, nor profanities, nor ostentatious intermixing, nor the like of those things, which are done by our poor men in those days of ours.

It is narrated by Sa'eed Ibn Mansur in his Tafsir on the authority of 'Abdullah Ibn Az-Zubair⁽¹⁾ "Allah be pleased with him" that he said: I said to my grandmother, Asma' (Bint Abu Bakr) "Allah be pleased with her": "What was the behavior of the Companions of The Messenger of Allah "peace be upon him" whenever they read the Qur'an?" she said: "They were, as described by Allah Almighty: their eyes used to overflow with tears, and their skin tremble." I said: "But in those days, there are some people who, on listening to that, would swoon and fall unconscious because of it." She said: "I seek refuge with Allah from Satan, the rejected!"

It is narrated by Ibn 'Ubaid on the authority of Abu Hazim that he said: Once, Ibn 'Umar "Allah be pleased with them" came upon a man from Iraq and he was lying on the ground and the people were gathering round him. He asked: "What is that?" they said: "Whenever he heard the Qur'an, he would fall unconscious as such because of his fear of Allah Almighty." On that Ibn 'Umar "Allah be pleased with them" said: "By Allah, we fear Allah (more than he does), even though we do not fall (on the ground because of that like he does)." Thus, he disapproved of this conduct from him.

It was said to 'A'ishah "Allah be pleased with her": "There is a people who, on hearing the Qur'an, would fall unconscious." On that she said: "No doubt, the Qur'an is too honored and dignified for the human minds to lose conscious from it. But it is just as Allah Almighty says about it: **{the skins of those who fear their Lord tremble thereat; then their skins and their**

(1) Ash-Shatharat, 1:79; At-Taqrīb, 1:415.

hearts do soften to the celebration of Allah's praises.} [Az-Zumar 23]

It is narrated on the authority of Anas Ibn Malik "Allah be pleased with him" that he was asked about some people who used to swoon whenever the Qur'an was recited to them, thereupon he said: "That is indeed the conduct of the Khawarij."

It is narrated by Abu Na'eem on the authority of Jabir Ibn 'Abdullah "Allah be pleased with them" from 'Abdullah Ibn Az-Zubair "Allah be pleased with them" that he said: "I came to my father who asked me: 'Where have you been?' I said: 'I have come upon a people who were remembering Allah Almighty, and anyone of them would shiver so much until he would swoon because of his fear of Allah, thereupon I sat with them.'" He said: "Do not sit with them once again." But, seeing I was careless about his advice, he added: "No doubt, I saw The Messenger of Allah 'peace be upon him' reciting the Qur'an, and also saw both Abu Bakr and 'Umar reciting the Qur'an, and nothing of this affected them. Do you see those people more submissive to Allah than Abu Bakr and 'Umar?" having been convinced about that, I abandoned these people." All of this is ostentation and pretentiousness disapproved of by the men of religion.

Muhammad Ibn Sirin "may Allah have mercy upon him" was asked about one who would swoon whenever the Qur'an was recited to him, thereupon he said: "If he likes to prove to us that he is true to what he does, let him sit on the edge of a wall and listen to the Qur'an from its beginning to its end: if he falls, he then is true to what he does."

This speech is good and applies to the true as well as to the false. Such behavior was, in the sight of the Khawarij, an aspect of naturalness, esp. for the souls which were inclined from the truth. One may think, by mistake, that it is a correct excitement, even though it is not so. The evidence is that no sign of this was visible on the Companions, who established their deed on the truth, and did not use, in the religion of Allah Almighty, such ugly tricks which deprive man of politeness and valor.

It is not disprovable that one happens to swoon or even die on hearing the instruction, because he may weaken to withstand the resulting sympathy. Ibn Sirin then made this a measure for the true as well as the false one. It is quite apparent, since by no means would the naturalness survive with the fear of falling from the edge of the wall. There were rare cases in which the affectation of passion was excusable.

It is narrated on the authority of Abu Wa'il that he said: We set out in the company of 'Abdullah Ibn Mas'ud "Allah be pleased with him", and we had Ar-Rabie' Ibn Khaithamah with us. We came upon a smith, and 'Abdullah stood up to look at the iron being burnt in the fire, and when Ar-Rabie' looked at it, he inclined and was about to fall. But 'Abdullah went on and nothing happened to him.

We then came upon the bank of Euphrates and there was an oven. When

‘Abdullah saw it with the fire flaming inside it, he recited the following Holy Verse: **{When it sees them from a place far off, they will hear its fury and its raging sigh. And when they are cast, bound together, into a constricted place therein, they will plead for destruction there and then!}** [Al-Furqan 12-13] On that, Ar-Rabie‘ swooned and fell unconscious. We carried him and brought him to his family. ‘Abdullah waited him till noon, and he did not restore consciousness. It was not before the sunset that he recovered, and then ‘Abdullah returned home.

This case occurred to one of the meritorious Tabi‘is, at presence of a Companion, who, in turn, did not disapprove of that from him, because he knew well that this was beyond his capacity. He was impressed by the good and influential instruction so much that he lost consciousness. There should be no blame then.

It is related that a young man was in the company of Al-Junaid “may Allah have mercy upon him”, the Imam of Sufism at that time. Whenever this young man heard something of Thikr, he would cry. On that Al-Junaid said to him: “If you do so once again, accompany me no more.” Whenever he heard anything afterwards, the color of his face would change, but he would force himself to control his emotions, on the account of his nerves. One day (on hearing something of Thikr), he made a cry, and then died.

The behavior of this youth confirmed what the righteous predecessors said in this issue. Had his first cry overpowered him, he would not have been able to control himself even with great effort, as Ar-Rabie‘ Ibn Khaithamah failed to do. It is on this that his mister disciplined him, and disapproved of his conduct, and threatened to leave him, for he understood that this cry was one of the remaining traces of self-recklessness. But when it became beyond his capacity, as proven by his death, his cry was spontaneous for which there would be no blame on him, Allah willing.

Unlike are those (of our time), who, lacking of the characteristics of the virtuous men, went on imitating them, and, moved by their inclinations, emulated the Khawarij. They also exceeded that condemned limit to dancing, fluting, rotating, and striking the hands against the breasts, and even against the heads. How laughing is this deed to the foolish, as being one of the deeds of boys and mad, and aggrieving to the mindful, out of mercy for them, because they did not take another one as the way to Allah, in imitation of the righteous.

It is narrated in an authentic Hadith on the authority of Al-‘Irbad Ibn Sariyah ⁽¹⁾ "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” addressed us with a sermon, (so much impressive that) because of which the eyes shed tears, and the hearts became in awe. We said: “O Messenger of Allah! Verily, this sermon is of such as is going to leave (us): what do you command us to do?” on that he said: “No doubt, I’ve left you on

(1) Tabaqat Ibn Sa’d, 4:276; Siyar A‘lan An-Nubala’ 3:419.

(a state of faith that is as clear and pure as) the white (ground), whose night is (as shining) as day; and no one deviates from it after me but that he will be ruined. No doubt, you will see after my (death) a great dispute (among the people which leads to their division and swerving from the right path): so, I advise you to follow my Sunnah, and the tradition of my rightly-guided well-directed successors, which you should stick firmly to (and show constant patience on)."⁽¹⁾

In comment on it, grand Imam Al-Ajurri said: "You should distinguish this speech! He said: "because of which the eyes shed tears, and the hearts became in awe" and did not say "because of which we cried and struck our hands against our heads or breasts, or danced or so", as is done by a lot of ignorant on hearing the instructions: they cry, dance, rotate, and so, even though all of this is from Satan, who plays with them; and all of this is religious innovations and errors. To him who does so, it is said:

"It should be known to you that The Messenger of Allah "peace be upon him" was the truest of speech among the people, the most sincere in advice to his ummah, and the most tenderhearted, and the best among the people are those who came after him, a fact in which there is no doubt. But even, on hearing his instructions, they neither cried, nor danced, nor rotated, nor did anything like this. Had this been valid, they would have been the most entitled, among all the people, to do this in front of The Messenger of Allah "peace be upon him". But it is a religious innovation, falsehood and disapproved act. So, you should know this well." His statement is clear in explaining the matter in issue.

A comparison between the righteous predecessors and those claimants in regard with the apparent trace of the impression clarifies that the signs of this trace used to be visible on the former because of the remembrance of Allah, hearing a Quranic Verse, or seeing a vision in which there was an instructive lesson to learn, as was the case with Ar-Rabie' Ibn Khaithamah, when seeing the smith and the oven, or the recitation in prayer or any such like. But it is not reported from anyone of them that he functioned the chanting with poetic verses to become tenderhearted. The sect of poor stand on the opposite side: they listen to the Qur'an, the Hadith, the instructions, and the remembrance of Allah, and no apparent trace of impression is visible on them. But when the flute is played, they then hasten to their habitual movements. They are more entitled not to be impressed in those unfavorable innovated ways. That is because the truth never brings about but truth, and falsehood never brings about but falsehood.

It is from this perspective that the real nature of the mentioned kindness should be considered, which is the engine of the apparent effect. Kindness is

(1) It is narrated by Ibn Majah, Hadith no. 42-43; Ahmad, 4:126-127; Abu Dawud, Hadith no. 4607; At-Tirmithi, Hadith no. 2676; Ad-Darimi, 1:44.

opposite to harshness. When one is described as kind, this means that he is too easy to feel, unlike the harsh, who is almost unfeeling.

This is confirmed by Allah's saying: **{then their skins and their hearts do soften to the celebration of Allah's praises.}** [Az-Zumar 23] that is because if the kind heart receives an instruction, it will soon submit to, soften and further comply with it. It is within this context that Allah Almighty said: **{For Believers are those who, when Allah is mentioned, feel a tremor in their hearts.}** [Al-Anfal 2] the tremor is the effect which results from the tender of the heart because of the instruction it receives, thereupon the skin trembles and the eye sheds tears. Whenever the heart, which represents the interior of the human being, softens, the trace will be reflected on the skin accordingly, which represents his exterior by witness of Allah Almighty. As such these of the early generation were excited. If you saw anyone having heard an instruction, whatsoever, because of which the signs of impression became visible on him, I mean the same signs common to the righteous predecessors, you should know that this is the trace of kindness, which is the commencement of passion, and that it is valid and unobjectionable.

Therefore, if you saw anyone having heard an instruction from the Qur'an, Sunnah or wisdom, and no sign of such impression became visible on him because of it, until he heard versified poetry or melodic singing, you should know then that he was not really impressed in so much as irritated by his standing, crying, profanities, rotation, or anything as such fit for listening. That is because kindness is opposed to harshness, and elation is opposed to submissiveness, as stated by Sufis. Elation is fit for movement, since it is the uprising of dispositions. For this reason, it is shared by human and animal. Submissiveness is opposed to that, since it goes back to stillness. As well as submissiveness is interpreted by serenity, elation is interpreted as an activity that befalls man because of pleasure or sadness.

Making melodies is to protract and embellish the voice. The sung poetry implies two main things:

One is wisdom and instructions, and this is unique to the hearts, wherein they act and whereby they are excited. From this perspective, listening is attributed to spirits.

The other is the tones that are arranged according to the melodic rhythms, which stimulate the natures, and irritate them to do what is fit for the respective context. Those are the movements in their difference.

The effect caused by listening, which leads to tranquility and submissiveness, is kindness; and that is the affectation of passion indicated by the answerer, and there is no doubt that it is praiseworthy. On the other hand, the effect that leads to something opposed to tranquility, is elation, in which there lies neither kindness nor affectation of passion; and there is no doubt that it is not praiseworthy in the sight of the real Sufis

Our poor ones, more often, do not consider but the second condemned

meaning of the affectation of passion. They get passionate only by means of songs and tones, and do not perceive anything of wisdom and instruction. Thus, they incur upon themselves the more losing deal, we seek refuge with Allah Almighty from that.

They have fallen in such mistake because they were put to confusion about both concepts, and erred in the attestation. There is no evidence for the meaning in Allah's saying: **{if you had come up on to them, you would have certainly turned back from them in flight, and would certainly have been filled with terror of them.}** [Al-Kahf 18] and: **{Hasten you then (at once) to Allah.}** [Ath-Thariyat 50] similarly, Allah's saying: **{they stood up and said: "Our Lord is the Lord of the heavens and of the earth"}** [Al-Kahf 14] does not mean that they stood and went on dancing, crying and rotating.

The term 'listening' was mentioned in the words of the answerer unexplained, thereupon the community construed it to be the singing that is common to them. That is the understanding of the laymen rather than the Sufis, according to whom, it is given to every sound to which the heart becomes submissive, and the skin softens, by which they get passionate in the praiseworthy way. This applies to listening to the Qur'an, the words of wisdom and instruction delivered by the sages and virtuous men, and even the singing of birds, babble of water, and creaking of the door. Included in this also is the listening to the visible as much as it gives wisdom, even though with no pleasure nor elation, which they do not do regularly, as this would undermine their purpose on which they established their doctrine.

According to Al-Junaid, "If you see the beginner having love for listening, you should know that he still has some traces of idleness." They listen to things from the perspective of wisdom they contain, which makes both poetry and prose equal in their sight. Listening according to anyone of them is given to everything from which they understand wisdom rather than that which pleases the disposition, otherwise, one will become vulnerable to temptation, since there will be no difference between it and the pleasant ecstatic listening.

The evidence for that is taken from the statement of Abu 'Uthman Al-Maghribi: "Whoever claims listening, and does not make sense to the singing of birds, the creaking of doors, and the sounding of winds is indeed a slanderous religious innovator." According to Al-Husari: "What do I have to do with listening if it could be interrupted at any time? That is because your listening should be continuous rather than intermittent."

It is narrated on the authority of Ahmad Ibn Salim that he said: "I served Sahl Ibn 'Abdullah At-Tastari for many years, during which he never changed whenever he heard anything of Thikr, Qur'an or any such like. When he became towards the end of his life, the following Holy Verse was recited in front of him: **{This Day shall no ransom be accepted of you, nor of those who rejected Allah; your abode is the Fire}** [Al-Hadid 15], thereupon he

changed and trembled, and was about to fall. When he restored consciousness, I asked him about that, and he said: "O my dear! No doubt, we have grown weak."

According to As-Sulami: "I entered upon Abu 'Uthman Al-Maghribi, and there was a person drawing water from a well by means of a spool. He said to me: "O Abu 'Abd-Ar-Rahman! Do you know what this is saying?" I said: "No." he said: "It is saying 'Allah'."

Those tales reported from them indicate that listening, in their sight, means only what has already been mentioned, (i.e. to understand the wisdom lying behind it and no more), and that they give no preference to poetry over anything else, nor ostentatiously join it with ecstatic singing. But along the time, and as a result of their remoteness from the states of the righteous predecessors, their inclinations made them give various forms to listening, all of which were centered on melodious singing, to which the dispositions got attached. They acted upon it constantly, regardless of the fact that it was intended only to relieve them. It was like an obstacle in their way, and caused them to go back in retreat. With the passage of time, the ignorant in those days believed it is an act of worship thereby they draw near to Allah, and an indispensable part in the way of Sufism.

That whoever invites a group of people to his house, according to the words of the answerer, his invitation should be accepted, and he will have of it only what he has intended, is valid as has already been mentioned. Without doubt, if one invites a people to a gathering in his house, in order to learn a Quranic Verse, study an item of the Prophetic Sunnah of The Messenger of Allah "peace be upon him", discuss a certain science or a particular favor of Allah Almighty, or listen to poetry in which there is wisdom rather than disapproved singing, profanities or cries, and then he serves them with food, not by way of ostentation or pomposity, thereby he intends neither to make a religious innovation, nor to give predominance to a sect which deviate, by their deeds and words, from the established Sunnah, assuredly, this will be appreciated, as it takes the same ruling of the banquet intended to consolidate the good companionship between neighbors and brothers, and affectionate love between friends. It is really favorable in general, and if it includes a study of a particular knowledge or so, it will belong to the cooperation in good.

In this connection, it is narrated on the authority of Muhammad Ibn Hunaif that he said: One day, I entered upon 'Ali Ibn Ahmad, the judge, who said to me: "O Abu 'Abdullah!" I said: "Here I am, O judge, responding to your call." He said: "Let me relate to you a story which (is so much precious that it) needs to be written with the water of gold." I said: "O judge! I could hardly find the water of gold. But I could write it with the good ink." He said: "I was informed that it was said to Abu 'Abdullah: Ahmad Ibn Hanbal: "Al-Harith Al-Muhasibi talks about the sciences of Sufism, and supports his arguments with the Quranic Verses." Ahmad said: "I like to listen to his words

from where he knows not.” It was said to him: “I will make you meet him in a gathering.”

He made an invitation to a banquet in his house, to which he invited Al-Harith and his companions, as well as Ahmad Ibn Hanbal, who sat in a place that enabled him to see Al-Harith (and he could not see him). When the time of prayer became due, he (Al-Harith) proceeded on and led them in Maghrib prayer. Then, food was served, and he started to eat and talk, thereupon Ahmad said (to himself): “This conduct is out of the Sunnah.”

When they finished from food and washed their hands, Al-Harith and his companions sat down, and he said to them: “Whoever of you likes to ask about anything, let him do.” He was asked about sincerity, showing off, and many other questions, and he gave his answers quoting the Quranic Verses and the Prophetic Hadiths. Ahmad was listening to that, of which he disapproved of nothing.

When a part of the night elapsed, Al-Harith commanded a reciter to recite something of the Qur’an and he did accordingly, and some of the attendants went on weeping, and others were impressed. When the reciter finished, Al-Harith invoked Allah with short supplications, after which he stood for the prayer. In the morning, Ahmad said: “I was informed that there are gatherings of Thikr, on which the people assemble. If this (which I have attended last night) represents those gatherings, then, I could disapprove of nothing in them.”

This tale clarifies to us that the states of Sufis should always be measured with the measure of Shari’ah; and that the gatherings of Thikr are not like those alleged by these (poor of our time), in so much as they correspond to those of the previous generations (of Sufis) we have already mentioned, and anything else of what the poor used to do is disapproved of.

Al-Harith Al-Muhasibi is one of the major Sufis whose conduct and way should be imitated by others. This means that the speech of the answerer has nothing of the false claims the later have attached themselves to, in opposition to the earlier; and success lies with Allah Almighty.

There are so many examples in this section, and were we to trace them all, we would digress from the main purpose. We have mentioned only some which represent their weak attestations in this respect, in which they deviate from the right way clarified by their scholars, and explicated by their Imams, and its kinds enumerated by those firm in knowledge.

However, the approach of the religious innovators to attestations indicates that they are uncontrollable since they exceed all due limits. Everyone, be he deviating or disbelieving, attests his deviation and disbelief in any way possible, in order to attribute his cult to Shari’ah.

We have heard about some disbelievers who attested their disbelief by the Quranic Verses. Some Christians attested the association of Jesus “peace be upon him” with Allah Almighty in worship by Allah’s saying about Christ

Jesus, the son of Mary: **{and His Word, which He bestowed on Mary, and a Spirit proceeding from Him.}** [An-Nisa' 171]

The disbelievers attested their argument that they would be among the inhabitants of the Hell-fire by Allah's saying: **{Those who believe (in the Qur'an), and those who follow the Jewish (scriptures), and the Christians and the Sabians, any who believe in Allah and the Last Day, and work righteousness, shall have their reward with their Lord; on them shall be no fear, nor shall they grieve.}** [Al-Baqarah 62]

Similarly, some Jews attested their claim that they are superior to us (the Muslims) by Allah's saying: **{O children of Israel! Call to mind the special favour which I bestowed upon you, and that I preferred you to all others (for My Message).}** [Al-Baqarah 122]

Some Haruriyyah attested their opinions by Allah's saying: **{"When I have fashioned him (in due proportion) and breathed into him of My spirit, fall you down in obeisance unto him."}** [Al-Hijr 29]

The spiritualists also attested their arguments by Allah's saying: **{In whatever form He wills, does He put you together.}** [Al-Infitar 8]

The same applies to all of those who follow the imprecise and unclear, or distort the contexts, or even interpret the Quranic Verses quite differently from their right meanings understood by the righteous predecessors, or stick to the very weak Hadiths, or act upon evidences superficially and without reflection. Anyone who attests with a Quranic or a Prophetic Hadith, to support every act, deed, word and belief that agree with his purpose and comply with his inclination, does not, in fact, achieve his desired goal.

The evidence for this is that every sect or faction attested the religious innovation or heresy for which it was famous with a Quranic Verse or a Prophetic Hadith, ceaselessly and absolutely, as has previously been mentioned. Other matches will be mentioned later, Allah willing.

In brief, whoever seeks the salvation for himself (from this evil), let him verify of the fact until the way becomes clear to him; and whoever indulges in that, the inclinations then would throw him into bottomless oceans of corruption, from which he could not be saved, unless Allah Almighty wills.

5. THE REAL AND ADDITIONAL RELIGIOUS INNOVATIONS, AND THE DIFFERENCE BETWEEN THEM

First of all, we should explain what is intended by the real and the additional religious innovation. In this context, let us say, and success lies with Allah Almighty:

The real religious innovation is that which has no evidence under Shari'ah, whether detailed or undetermined, neither in Allah's Book, nor in the Prophetic Sunnah, nor in the consensus of the ummah, nor in the analogism that is considerable to the learned men and scholars.

that is why it has been called a religious innovation, as mentioned above, because it is invented with no previous model to imitate, even though its inventor rejects to be described as deviating from Shari'ah, since he assumes his innovation to be attested by the same proofs of Shari'ah. Therefore, his claim is not right, neither in itself nor according to what seems apparent. It is the occurrence which makes it a religious innovation. Furthermore, what seems apparent is that his evidences, if it is proven that he has taken refuge to attestation, are suspicious.

The additional religious innovation is that described as a double-sided: one of those has an implication of evidence, because of which it is not considered a religious innovation. The other side has no implication except in as much as the real religious innovation has. Since such a double-sided deed could hardly preponderate only from one side on the exclusion of the other (i.e. both sides are equal in it), we called it an addition religious innovation. That is, from one side, it is an item of Sunnah, since it is supported by evidence, and from the other side, a religious innovation, since it is either groundless or supported by an allegation rather than evidence.

The difference between both kinds is that the latter, in principal, has an evidence in general, even though in its constitutions, states and details, the evidence is lacking, despite the fact that it is much needed in this respect, since it is, more often, put to effect in the acts of worship rather than in the habits and customs, as we shall mention, Allah willing.

After that brief differentiation, let us say, and success is with Allah Almighty, that since the real religious innovation is more frequent, more common, and more famous among the people, and because of which the different sects and factions emerged, and the people were divided into parties, and the examples we have offered are more enough to be representative of its various forms, and it was the first to be understood by the scholars, we would not talk about its rulings here in detail.

Nevertheless, the rulings pertinent to them rarely differ from those of the additional religious innovation. Both share in the majority of rulings, which constitute the focal point on which this book is centered. The additional religious innovations have specific rulings, and need special explanation. That is the purpose of this section.

The additional religious innovation is divided into two kinds:

One is closer to the real, to the extent that it is considered almost real.

The other is farther from the real, to the extent that it is considered almost an item of Sunnah.

On the basis of this division, it is incumbent to deal with each one solely in many chapters as the time and context permit; and success lies with Allah.

1.5. A Chapter On The Additional Religious Innovation

Allah said about Jesus “peace be upon him” and those who followed him: **{and We ordained in the hearts of those who followed him Compassion and Mercy, but the Monasticism which they invented for themselves, We did not prescribe for them: (We commanded) except the seeking for the Good Pleasure of Allah; but that they did not foster as they should have done. Yet We bestowed, on those among them who believed, their (due) reward, but many of them are rebellious transgressors.}** [Al-Hadid 27]

It is narrated by ‘Abd Ibn Humaid, Isma‘eel Ibn Ishaq Al-Qadi and others on the authority of ‘Abdullah Ibn Mas‘ud "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said to me: “Do you know who the most learned among the people is?” I said: “No doubt, Allah and His Messenger know best.” On that he said: “Verily, the most learned among the people is the one who sees most the truth when the people fall in dispute over it, even though he runs short of the deed, and crawls on his hands. These who were before us disputed and were divided into seventy-two sects, only three of which were saved, and the remaining (sixty-nine) were destroyed. One of those three resisted the (disbelieving) kings and fought them for the sake of the religion of Jesus, son of Mary “peace be upon them” until they were killed. The second had no power to resist the kings, thereupon they lived among their people and invited them to the religion of Allah and the religion of Jesus, son of Mary, thereupon they were seized by the kings, who cut them off by saws. The third had no power to resist the kings, nor to live among the people to invite them to the religion of Allah, and the religion of Jesus, son of Mary, thereupon they wandered in the mountains, and fled (for their religion), where they assumed monasticism; and it is those in connection with whom Allah Almighty said: **{but the Monasticism which they invented for themselves, We did not prescribe for them: (We commanded) except the seeking for the Good Pleasure of Allah; but that they did not foster as they should have done. Yet We bestowed, on those among them who believed, their (due) reward, but many of them are rebellious transgressors.}** [Al-Hadid 27] The believers are those who believed in and gave trust to me, and the rebellious transgressors are those who gave lie and were ungrateful.” ⁽¹⁾ That is

(1) Al-Mu‘jam Al-Kabir, At-Tabarani, Hadith no. 10357, 10380, 10531; As-Saghir, Hadith no. 624; Shu‘ab Al-Iman, Hadith no. 14, 15, 9510, 9511, 9513; Al-Mustadrak, Hadith no. 3790; Majma‘ Az-Zawa‘id, 7:260; Hilyat Al-Awliya’, 4:177.

one of the Hadiths narrated by these of Kufah.

Monasticism here means to get isolated from all the people, and discard the world with its pleasures of women and property; and stick to hermitages and churches, as was the use of the Christians before Islam, and adhere to worship. That is the opinion of a group of Tafsir scholars.

The exception made by Allah in His saying: **{except the seeking for the Good Pleasure of Allah}** may be construed as connected or disconnected:

If we build the understanding upon connection, in this case, the meaning seems to be that it (monasticism) was prescribed for them only in this way, i.e. to act upon it thereby seeking the good pleasure of Allah Almighty. That is, it was prescribed for them, but on condition that they should seek thereby the good pleasure of Allah. But they did not care for it as it should be, when they did not believe in The Messenger of Allah “peace be upon him”. That is the opinion of many commentators.

If the seeking for the good pleasure of Allah is a necessary prerequisite in the deed, they then should act upon that condition wherever it goes with them. Monasticism was prescribed for them on condition that if it was abrogated by something else, they should then follow the precise abrogative, and discard the abrogated; and that is the significance of the seeking for the good pleasure of Allah in truth. If they did not do, they would follow the inclination rather than the prescribed, given that it is the following of the prescribed which realizes the good pleasure of Allah Almighty.

Allah Almighty said: **{Yet We bestowed, on those among them who believed, their (due) reward, but many of them are rebellious transgressors.}** [Al-Hadid 27] the believers are those who followed monasticism only seeking thereby for the good pleasure of Allah Almighty; and the rebellious transgressors are those who did not abide by its condition, when they did not believe in The Messenger of Allah “peace be upon him”.

But if we go on with this argument, what is prescribed then would be called invention, and this disagrees with the definition of the religious innovation we have already mentioned.

The answer is that it is called a religious innovation in as much as they annulled the condition on which it was prescribed. If an act of worship is conditional by a certain prerequisite which they do not act upon, it will not become an act of worship valid under Shari‘ah, and rather turn into a religious innovation. It is like the one who intentionally invalidates one of the prayer’s conditions, such as facing the Qiblah, performing ablution, or any such like: if he knows it well, but does not abide by it, and rather insists on performing prayer without it, his deed will be a religious innovation (rather than an act of worship).

Being so, the monasticism of the Christians was valid before the sending of Muhammad “peace be upon him” as the Messenger of Allah. But when he was sent (as the last Messenger), it would be due to revert from this to his

religion (of Islam). But to remain on that (monasticism) which was abrogated is to remain on what is invalid under Shari‘ah; and that is the religious innovation in its own right.

If we build the understanding upon the disconnection of exception, it will mean that it was principally not prescribed for them, but they invented it, thereby seeking for the good pleasure of Allah; and did not act upon it as it should be, since they did not believe in Muhammad, The Messenger of Allah “peace be upon him”, who was sent to all mankind. In this way it was called a religious innovation for two reasons:

The first goes back to its being a real religious innovation, as mentioned, since it is included in the definition of the religious innovation.

The other goes back to its being also an additional religious innovation, because the apparent context of the Qur’an indicates that it was, in itself, condemned only in as much as its related condition was invalidated. Whoever among them did not invalidate its condition, and acted upon it before the Prophetic mission of The Messenger of Allah “peace be upon him”, would receive a reward for it, as stated by Allah’s saying: **{Yet We bestowed, on those among them who believed, their (due) reward.}** That is, whoever acted upon it duly on time and then believed in Muhammad, The Messenger of Allah “peace be upon him”, would receive his reward that is due to him for it.

We described it as additional, from this perspective, because had it been real, then, by their doing it, they would have disagreed with their ordinance, and would have deserved punishment rather than reward for it, due to their disagreement with the commands and forbiddances of Allah Almighty. But they did what was permissible for them to do, which means that it was not a real religious innovation. But in which meaning it was called a religious innovation will be discussed in detail later, Allah willing.

At any rate, no ruling pertinent to this issue is relevant to this (Muslim) ummah, since monasticism was abrogated in our Islamic Shari‘ah. That is, there is no monasticism in Islam at all. The Messenger of Allah “peace be upon him” said: “Whoever turns away from my Sunnah is not from me (i.e. is not one of my followers).”⁽¹⁾

Ibn Al-‘Arabi transmitted four interpretations pertinent to this Quranic Verse in issue. The first is what we have mentioned above. The second is that monasticism stands for celibacy, and that is abrogated in our Islamic law. The third is to take hermitages for isolation and segregation. The fourth is to travel through the land, which is, according to his words, “recommended when the time is corrupt.”⁽²⁾

The apparent context requires that it is a religious innovation. Those who assumed monasticism before Islam did so in flight for their religion; and it was

(1) Al-Bukhari, Hadith no. 5063.

(2) Ahkam Al-Qur’an, 4:1744.

called a religious innovation. But, at the same time, that it is recommended necessitates that it is not a religious invention. Then, how could both opposites be combined simultaneously? The question has a detailed clarification, which may be mentioned later, Allah willing.

In comment on the same statement of Allah: **{but the Monasticism which they invented for themselves, We did not prescribe for them}**, it was said that they left the truth in this respect. That is, they refrained from eating the flesh of the animals lawful for them, and ate the flesh of swine, drank wine, abstained from ritual bath to get clean from the state of Janabah, and abandoned circumcision. **{But they did not foster it (i.e. his religion and obedience) as they should have done.}** {it} here refers to the religion and cult understood from His saying: **{and We ordained in the hearts of those who followed him Compassion and Mercy.}**

From this point of view, it means that it was not prescribed for them in this very manner they did, but it was only the truth which was enjoined upon them. The religious innovation herein is real rather than additional. Anyway, that is the opinion of the majority of scholars, and nothing thereof pertains to this (Muslim) ummah.

It is narrated by Sa'eed Ibn Mansur and Isma'eel Al-Qadi on the authority of Abu Umamah Al-Bahili "Allah be pleased with him" that he said: "You have invented the standing (in congregational prayer at night) during the month of Ramadan, even though it was not prescribed for you. It is only fasting which was enjoined upon you. Therefore, as you have acted upon it, you should then do it regularly, and leave it not. Some from among the children of Israel invented a religious innovation which had not been prescribed for them, seeking thereby for the good pleasure of Allah, but they did not care for it as they should have done, thereupon Allah Almighty blamed them as they abandoned it, saying: **{but the Monasticism which they invented for themselves, We did not prescribe for them.}**"⁽¹⁾

According to another version, he said: "A people belonging to the children of Israel invented a religious innovation, thereby seeking for the good pleasure of Allah Almighty. But they did not care for it as they should have done, thereupon Allah Almighty blamed them for they abandoned it." Then, he recited the following Holy Verse: **{but the Monasticism which they invented for themselves, We did not prescribe for them.}**

That opinion is close to the comment of some Tafsir scholars on Allah's saying **{as they should have done}**: that is, they fell short of it, and did not do it regularly. According to some Tafsir transmitters: "This interpretation enforces upon one to perfect any deed he has done voluntarily, and care for it as he should do."

According to Ibn Al-'Arabi, "Whoever thinks that monasticism was

(1) Tafsir Al-Lubab, 15:151; Ahkam Al-Qur'an, 7:210; Tafsir Al-Qurtubi, 17:263.

enjoined upon them after they had abided by it has indeed deviated from the right path. Nothing is enjoined upon anyone without a law or by way of a vow fulfillment, a fact in which there is no dispute among the people of all religions and cults; and Allah knows best.”⁽¹⁾

This statement needs further reflection and discussion. The majority of scholars adopt the first opinion. That is, there should be no religious innovation nor is it permissible to invent anything in this religion without evidence established with full certainty, on the basis of the fact that every religious innovation is an error, as has already been mentioned; and the basic rule is to follow proven evidence and not to act upon anything else.

Nevertheless, the statement of Abu Umamah "Allah be pleased with him" is based on a correct vision under Shari'ah, no matter how far it might seem in regard with the apparent context. He considered a religious innovation the deed of 'Umar "Allah be pleased with him" of gathering the people in the mosque on one reciter to lead the Tarawih prayer during the month of Ramadan, when he entered the mosque and saw the people praying as such, thereupon he said: "How excellent is this religious innovation, given that the prayer they perform after sleeping (i.e. at the last part of the night) is better."⁽²⁾

We have already mentioned that he called it a religious innovation under a particular consideration, and that the people's standing (in prayer) at night in Ramadan was an item of Sunnah which the founder of the Sunnah, The Messenger of Allah "peace be upon him" did, and then left for fear it would become obligatory. When the time of revelation passed, the reason disappeared, thereupon it was put to practice once again. But it was not acted upon during the caliphate of Abu Bakr and the first part of the caliphate of 'Umar "Allah be pleased with them", until it was time for 'Umar to consider the matter, and it was enforced. Since it seemed, from its apparent context, as if it were an act not done regularly by those who preceded him (the Prophet and Abu Bakr), it was given that name (religious innovation), as being different from the proven acts of Sunnah.

Abu Umamah "Allah be pleased with him" seemed to have put that revival into consideration when he called it a religious innovation, in which he

(1) Ahkam Al-Qur'an, 7:211.

(2) It is narrated on the authority of 'Abd-Ar-Rahman Ibn 'Abd-Al-Qari that he said: I went out in the company of 'Umar Ibn Al-Khattab one night in Ramadan to the mosque and found the people praying in different groups: A man praying alone or a man praying with a little group behind him. So, 'Umar said: In my opinion it would be better to collect these (people) under the leadership of one Reciter (and let them pray in congregation). So, he made up his mind to congregate them behind 'Ubai Ibn Ka'b. Then on another night I went again in his company and the people were praying behind their reciter. On that, 'Umar remarked: "What an excellent religious innovation this is; though the prayer which they do not perform, but sleep at its time is better than the one they are offering." He meant the prayer in the last part of the night. (In those days) people used to pray in the early part of the night. [Sahih Al-Bukhari, Hadith no. 2008].

agreed with ‘Umar’s. Then, he ordered that it should be done regularly, on the basis of his understanding from the Quranic Verse that not to foster a recommended, rather than a prescribed, deed is not to do it regularly, after their abidance by it. This means that they fail to fulfill the requirements of their commitment. To take on the voluntary deeds which are neither obligatory (Fard) nor regular (Ratibah) is of two kinds:

The first is to take them as they are in principal, as much as lies within one’s capacity: he may do them if he is so eager to do, or may not if he is not so eager to do, and could do them as he is used to do, or could not, being engaged with other occupations. For instance, a man may have, on that day, something to give in charity, and have nothing on the next day, or may have, but not be eager to give, or see it more fitting, at that time, to withhold it, and so on. There is no difficulty nor blame on anyone to leave all such voluntary deeds. Had there been any blame in this respect, it would not have been described as voluntary, which is quite different from the obligatory.

The other is to take them by way of commitment, such as to do a righteous deed regularly at a certain time, say, to stand (in prayer) for a part of the night, to observe fast on a certain day due to its proven superiority, like the day of ‘Ashura’ and the day of ‘Arafah, to remember Allah every morning and evening, and so on. In this way, the voluntary deeds are dealt with as duties, in the sense that when one intended to do them regularly as long as he could, they became similar to duties and regular Sunan. Had this obligation been not compulsory under Shari’ah, it would not have become binding, since there is no difficulty to leave them in general. A typical example is the supererogatory prayers to be performed regularly after the obligatory ones: they are favorable in principal, and where as they are performed regularly, they become similar to the regular Sunan and duties.

That is the significance of the statement of The Messenger of Allah “peace be upon him” when he was asked about the two-rak’ah prayer after ‘Asr he had performed: "O daughter of Banu Umayyah! You have asked me about the two Rak’ahs after ‘Asr prayer. The people of the tribe of Abd-Al-Qais came to me, announcing the conversion of their people to Islam, and made me busy. So I could not offer the two Rak’ahs after Zhuhr prayer. These (two Rak’ahs I have just prayed) are for those (missed) ones.”⁽¹⁾

He was asked about praying them after he had forbidden that. He “peace be upon him” used to perform them after Zhuhr, as regular supererogatory prayers, and when he missed them, he performed them after their due time, by way of compensation, as required in case of a duty.

This kind, from this perspective, has two states, and one has the freedom to choose to do it voluntarily or regularly, as understood from Shari’ah. Being so, it is understood also from Shari’ah to enforce kindness and make things

(1) It is narrated on the authority of Quraib from Umm Salamah. Al-Bukhari, no. 1233.

easy, and that a competent for religious assignments should not enjoin upon himself anything which he may fail to do, or may be put to difficulty by doing it compulsorily. It is principally unfavorable to abandon anything one abided by. Commitment, in this respect, is similar to the pledge one makes between him and his Lord Almighty; and to fulfill the pledge is required in general.

The evidence for the fact that it is authentic to act upon kindness

The evidence for the fact that it is authentic to act upon kindness in all affairs, even though to do the deed regularly is required, is taken from the Book and the Prophetic Sunnah. Allah Almighty says: **{And know that among you is Allah's Messenger: were he, in many matters, to follow your (wishes), you would certainly be put to difficulty.}** [Al-Hujurat 7] According to some commentators, those many matters stand for the Islamic obligations, and it is not fitting that anyone should suffer difficulty in Allah's religion: **{but Allah has endeared the Faith to you}**, i.e. by making things easy upon you, **{and has made it beautiful in your hearts, and He has made hateful to you disbelief, wickedness, and rebellion: such indeed are those who walk in righteousness.}**

The Messenger of Allah "peace be upon him" was sent with the tolerant true religion (of Islam), in order to releases them from the burdens and yokes which were upon the others (who were before them).⁽¹⁾ In description of His Messenger "peace be upon him", Allah Almighty says: **{Now has come unto you a Messenger from amongst yourselves: it grieves him that you should perish: ardently anxious is he over you: to the Believers is the most kind and merciful.}** [At-Tawbah 128]

He further says: **{Allah intends every facility for you; He does not want to put you to difficulties.}** [Al-Baqarah 185]

He also says: **{Allah does wish to lighten your (difficulties): for man was created weak (in physique).}** [An-Nisa' 28]

Allah Almighty described as excess the rigorist (to impose upon oneself hard terms in the religion) in His saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma'idah 87]

There are so many Prophetic Hadiths in this respect. One of those pertains to Wisal (to observe fast uninterruptedly without break).

It is narrated on the authority of 'A'ishah "Allah be pleased with her" that she said: The Messenger of Allah "peace be upon him" forbade Wisal (to observe fast uninterruptedly without breaking one's fast in the evening or eating before the following dawn) out of mercy to them. They said to him:

(1) He refers here to Allah's saying: {he releases them from their heavy burdens and from the yokes that are upon them. So it is those who believe in him, honour him, help him, and follow the Light which is sent down with him, it is they who will prosper.} [Al-A'raf 158].

"But you practice Wisal!" He said: "I am not like you, for during the night, my Lord gives me food and drink."⁽¹⁾

It is narrated on the authority of Anas "Allah be pleased with him" that he said: Once, the Messenger of Allah "peace be upon him" observed Wisal (uninterrupted fasting without breaking it) during the early days of the month of Ramadan. Some from among the Muslims also fasted uninterruptedly. When the news reached him, he said: "By Allah! Had the month been lengthened for me, I would gone on Wisal (without breaking it), so that those who commit excess would give up their excess. You are not similar to me. I remain as such, because I am given food and drink by my Lord."⁽²⁾

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" forbade Wisal (to observe fasting uninterruptedly for more than a day). One of the Muslims said to him: "But you practice Wisal O Messenger of Allah!" The Prophet "peace be upon him" replied: "Who amongst you is similar to me? I am given food and drink during my sleep by my Lord." When the people refused to stop Wisal, The Prophet "peace be upon him" fasted day and night continuously along with them for a day and then another day and then they saw the crescent moon (of the month of Shawwal). The Prophet "peace be upon him" said to them (angrily): "If it (the crescent) had not appeared, I would have made you fast for a longer period." That was as a punishment for them when they refused to stop (Wisal).⁽³⁾

A mention may also be made of the Prophet's standing (in prayer) at night. The Messenger of Allah "peace be upon him" left it for fear it would be enjoined upon the people who, in turn, would, probably, fail to do it and thus put themselves to difficulty and fall in the sin of leaving an obligatory duty. He did so out of kindness and mercy towards them.

According to Al-Qadi Abu At-Tayyib, It may be that Allah Almighty revealed to His Prophet "peace be upon him" that if he persisted in this (supererogatory night) prayer in congregation with them, it would be enjoined upon them.

In this respect, It is narrated on the authority of 'A'ishah "Allah be pleased with her" that she said: "The Messenger of Allah "peace be upon him", so many times, left doing a deed which he liked to do, for fear the people would act upon it accordingly, with the result that it would be enjoined upon them."⁽⁴⁾

This meaning is referred to in the statement of The Messenger of Allah "peace be upon him": "Do not favor Friday with a special fasting, and the

(1) Al-Bukhari, Hadith no. 1863.

(2) Al-Bukhari, Hadith no. 6814; Sahih Muslim, Hadith no. 60[1104].

(3) Al-Bukhari, Hadith no. 1965.

(4) Sahih Muslim, Hadith no. 718.

night prior to it with standing (in prayer).”⁽¹⁾ According to the interpretation of Al-Muhallab, “I feel afraid the people would persist in it, with the result that it would be made obligatory.”

It is narrated on the authority of ‘A’ishah "Allah be pleased with her" that she said: The Messenger of Allah “peace be upon him” came to my house while a woman was sitting with me, thereupon he said: “Who is this?” I said: “(She is) so and so. She does not sleep at night because she is engaged in prayer.” The Prophet “peace be upon him” said disapprovingly: “She does not sleep at night! Do (good) deeds which is within your capacity as Allah never gets tired of giving rewards till you get tired of doing good deeds.”⁽²⁾

He thus disapproved of her conduct, as shown in repeating the phrase ‘she does not sleep’, out of his fear for her lest she would get bored and tired, and fail to fulfill something which she made a right upon her.

It is narrated on the authority of Anas Ibn Malik "Allah be pleased with him" that he said: Once, The Prophet “peace be upon him” entered the Mosque and saw a rope hanging in between its two pillars. He said: “What is this rope?” The people said: “This rope is for Zainab who, when she feels tired, holds it (to keep standing for the prayer).” The Prophet “peace be upon him” said: “Don't use it. Remove the rope. You should pray as long as you feel active, and when you get tired, sit down.”⁽³⁾

It is narrated on the authority of ‘Abdullah Ibn ‘Amr "Allah be pleased with him" that he said: The news of my daily fasting and praying every night throughout the whole night reached The Prophet “peace be upon him”. So he sent for me or I met him, and he said: “I have been informed that you fast everyday and pray every night (all the night). Fast (for some days) and give up fasting (for some days); pray and sleep, for your eyes have a right on you, your body has a right on you, and your family (wife) has a right on you.” I replied: “I have more power than that (fasting).” The Prophet “peace be upon him” said: “Then fast like the fasts of David.” I said: “How?” He replied: “He used to fast on alternate days, and he used not to flee on meeting the enemy.” I said: “From where can I get that chance?” He said: “Whoever fasts daily throughout his life is just as the one who does not fast at all.”⁽⁴⁾

According to another narration on the authority of Abu Salamah, ‘Abdullah Ibn ‘Amr Ibn Al-‘As "Allah be pleased with him" said: I used to observe perpetual fasts, and recite The Holy Qur’an (and finish it once) every

(1) Al-Bukhari, Hadith no. 1984, 1985; Muslim, Hadith no. 148[1144]; Ahmad in his Musnad, 6:444.

(2) Al-Bukhari, Hadith no. 43, 1151, 1970, 5861; Muslim, Hadith no. 221[785]; Malik in Al-Muwatta’, Hadith no. 4, 1:118; Ahmad in his Musnad, 6:40, 51, 61; Ibn Majah, Hadith no. 4238.

(3) Al-Bukhari, Hadith no. 1150.

(4) Al-Bukhari, Hadith no. 1153; Muslim, Hadith no. 181[1159]; Ahmad in Al-Musnad, 2:58, 188.

night. Either a mention was made of that to The Messenger of Allah “peace be upon him” or he sent to me, and I came to him. He asked me: “Was I not informed that you observe perpetual fasts and recite The Qur’an completely every night?” I said: “Yes, (I do so) O Prophet of Allah, and I intended nothing but good.” He said: “It is enough for you to fast three days monthly.” I said: “O Prophet of Allah! I have power to endure more than that.” He said: “Your wife has a right upon you, your guests have a right upon you, and your body has a right upon you.” Then he (The Prophet) said: “Fast like the fasting of David, The Prophet of Allah “Peace be upon him”. Indeed, he was the best worshipping one among the people.” I asked: “O Prophet of Allah! How is the fasting of David?” he said: “He used to observe fast on a day and leave fasting on another (i.e. to fast on alternate days).” Then he said: “(On the other hand it is enough for you to) recite The Qur’an (and finish it once) every month.” I said: “O Prophet of Allah! I have power to do more than that.” He said: “Then, recite (and finish it once) every twenty (nights).” I said: “O Prophet of Allah! I have power to do more than that.” He said: “Then, recite (and finish it once) every ten (nights).” I said: “O Prophet of Allah! I have power to do more than that.” He said: “Then, recite (and finish it once) every week, and do not do more than that. Indeed, your wife has a right on you, your guests have a right on you, and your body has a right on you.” he (‘Abdullah) said: In this way, when I imposed upon myself hard terms in religion, I was put to difficulty. The Prophet “peace be upon him” said to me: “You do not know, perhaps you would live a long life (until you become so much old and weak that you would be forced to bear those hard burdens for a long time).” He (‘Abdullah) commented: Then, I turned (to live a long life and was obliged to bear those hard burdens) as The Prophet “peace be upon him” had said to me. When I grew old, I wished I had accepted the concession given to me by The Prophet “peace be upon him”.⁽¹⁾

According to another narration, ‘Abdullah Ibn ‘Amr "Allah be pleased with him" said: The Messenger of Allah “peace be upon him” said to me: “Fast one day and leave fasting on the other day (i.e. observe fasts on alternate days). That is the Fasting of (The Prophet) David “peace be upon him” and it is the best Fasting.” I said: “But, I have power to do more than that.” The Messenger of Allah “peace be upon him” said: “There is nothing better than that.” ‘Abdullah Ibn ‘Amr said (when he became old and too weak to fulfill what he decided to abide by in the presence of The Prophet): “Had I accepted the three fasts (monthly) as the Messenger of Allah “peace be upon him” had said, it would have been dearer to me than my family and property.”⁽²⁾

It is narrated on the authority of Jabir Ibn ‘Abdullah "Allah be pleased with them" that he said: A mention was made to The Messenger of Allah

(1) Sahih Muslim, Hadith no. 182[1159].

(2) Al-Bukhari, Hadith no. 1976; Muslim, Hadith no. 1159; An-Nasa’i, Hadith no. 2393.

“peace be upon him” of a man who used to do an act of worship in which he strove his utmost. At the same time, a mention was made to him of another man who used to do his worship with kindness.” On that The Messenger of Allah “peace be upon him” said: “Nothing is equal to kindness.” [At-Tirmithi, who renders it Hasan, Gharib ⁽¹⁾]

It is narrated on the authority of Anas Ibn Malik "Allah be pleased with him" that he said: A group of three men came to the houses of the wives of The Prophet “peace be upon him” asking how The Prophet “peace be upon him” worshipped (Allah), and when they were informed about that, they considered their worship insufficient and said: “Where are we from The Prophet “peace be upon him” as his past and future sins have been forgiven for him?” Then one of them said: “I will offer prayer throughout the night forever.” The other said: “I will fast throughout the year and will never break my fast.” The third said: “I will keep aloof from women and will never marry.” The Messenger of Allah “peace be upon him” came to them and said: “Are you the same people who said so-and-so? By Allah, I am more submissive to Allah and more afraid of Him than you; yet I fast and break my fast, I do sleep and I also marry women. So he who does not follow my tradition in religion, is not from me (not one of my followers).” ⁽²⁾

There are so many Prophetic Hadiths and traditions in confirmation of this meaning, all of which are centered upon making things easy and adhering to kindness in worship. This is possible but in the absence of commitment. However, it could be possible with commitment, provided that persistence in it should not lead to difficulty, as we are going to explain in detail now, Allah willing.

(1) Sunan At-Tirmithi, Hadith no. 2639.

(2) It is narrated by Al-Bukhari, Hadith no. 5063; ‘Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

2.5. The State Of Commitment In The Additional Religious Innovation

But if one abides by that, it will be open to two ways: one is by way of fulfilling a vow; and that is unfavorable.

In this connection, it is narrated on the authority of Ibn 'Umar "Allah be pleased with them" that he said: The Messenger of Allah "peace be upon him" forbade to make vows⁽¹⁾ and said: "No doubt, it (the vow) never averts anything (pertaining to the Divine Decree), but with the help of it, something might be taken out of the property of the niggard (without which he is not to give it)." According to another narration, he said: "The vow neither causes anything to take place in advance, nor delays it from coming in force. But with the help of it, something is taken out of the property of the niggard."⁽²⁾

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that the Messenger of Allah "peace be upon him" said (relating from Allah Almighty): "Never does the vow lead to anything I've not decreed for mankind, but when it is made, it happens to agree with what I've decreed for him, therewith something might be taken out of the property of a niggard, without which he was not to give it earlier."⁽³⁾

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "Do not make vows, since in aught would a vow avail nothing from the fate. Therefore, with the help of it, something might be taken out of the property of a niggard (without which he was not to give it earlier)."⁽⁴⁾

The significance of those Hadiths, and Allah knows best, is that the Arabs used to make vows, and anyone of them would say, "If my sick person was cured, I would make it due on me to fast such and such days", or 'If my absent person returned, or if I became rich, I would make it due on me to give such and such money in charity', and so on. The Hadiths came to say that nothing would avail, even in the least, from the fate of Allah Almighty. If somebody was doomed by Allah Almighty to be healthy, sick, rich or poor, the vow

(1) For further information about the significance of forbiddance of making of vows, for fear the people would not be able to fulfill them, see Ma'alim As-Sunan, 3:591.

(2) Al-Bukhari, Hadith no. 6608, 6609, 6692, 6693; Muslim, Hadith no. 1639, 1640; An-Nasa'I, Hadith no. 3832; Abu Dawud, Hadith no. 3287; At-Tirmithi, Hadith no. 1538; Ibn Majah, Hadith no. 2122; Ibn Hibban, Hadith no. 4361.

(3) Abu Dawud, Hadith no. 3288.

(4) Sahih Muslim, Hadith no. 5:1640; At-Tirmithi, Hadith no. 1578.

would not be a cause of that, just as the maintenance of kinship ties has been made a cause of longevity, as stated by the religious scholars. On the contrary, it is the same to make or not to make a vow (which leads to no change at all).

The main advantage of the vow is that with the help of it, Allah Almighty takes something out of the property of the niggard, according to the legality of fulfillment. That is confirmed by Allah in His saying: **{Fulfill the Covenant of Allah when you have entered into it, and break not your oaths after you have confirmed them.}** [An-Nahl 91]

It is narrated on the authority of ‘A’ishah "Allah be pleased with her" that she said: The Prophet “peace be upon him” said: “Whoever vowed to be obedient to Allah, must be obedient to Him; and whoever vowed to be disobedient to Allah, should not be disobedient to Him.”⁽¹⁾ That is the opinion of such religious scholars as Malik and Ash-Shafi‘i.

The point of forbiddance is to avoid rigorist, which is unfavorable, as has already been mentioned.

The other is to abide by something not by way of a vow fulfillment, it is a kind of making a promise, and it is required to fulfill the promise and pledge one takes on himself. Thus, he seems to enjoin upon himself what has not been made obligatory upon him by Shari‘ah. That is also rigorist, which is unfavorable, as attested by the Hadith previously mentioned about the three persons who came to ask about the worship of The Messenger of Allah “peace be upon him” in which they said: “Where are we from The Messenger of Allah “peace be upon him”?” each one of them said: “As for me, I will do such and such forever.”

The same applies to the narration in which The Messenger of Allah “peace be upon him” was told that ‘Abdullah Ibn ‘Amr "Allah be pleased with him" said: “I will surely stand (in prayer at night) throughout the whole night, and I will observe fast by day forever.” That is not a vow, otherwise, he “peace be upon him” would not have said to him: “Observe three fasts monthly”, and would rather have said to him: “Fulfill your vow”, in compliance with his statement “peace be upon him”: “Whoever vowed to be obedient to Allah, must be obedient to Him.”

As for the vow, it is required to fulfill it compulsorily, by way of obligation rather than recommendation. That is the opinion of the religious scholars, as attested by the Book and the Sunnah. Since it is mentioned in detail in the books of jurisprudence, it is irrelevant to bring it here, in avoidance of lengthiness.

(1) Al-Bukhari, Hadith no. 6700; At-Tirmithi, Hadith no. 1526; Abu Dawud, Hadith no. 3289; Ibn Majah, Hadith no. 2126; Ibn Hibban in his Sahih, Hadith no. 4372, 4373; Al-Baihaqi in As-Sunan Al-Kubra, 9:231.

As for the other way (which is not vow), there are evidences for the obligation of fulfilling it in general. But there is no blame on leaving it. That is attested by the conduct of Abu Umamah "Allah be pleased with him" towards a group of people who were standing at night in congregational supererogatory prayer in the mosque whose performance is constant (before/after the obligatory prayer), thereupon he ordered them to do it regularly, in order not to be like those who pledge to do a thing and then fail to fulfill it, thereby incurring the blame on themselves. But this way has two divisions:

The first is to be unbearable and doing it puts one to difficulty or severe trouble, or leads to wasting what is preferable. That is the monasticism in connection with which The Messenger of Allah "peace be upon him" said: "Whoever turns away from my Sunnah is not from me (i.e. is not one of my followers)." ⁽¹⁾ This issue will be discussed in more detail, Allah willing.

The other is that although it, in itself, does not put one to difficulty or trouble, doing it regularly may lead to difficulty and trouble, or wasting what is more confirmed. This also should be principally forbidden, as attested by the proofs mentioned above. 'Abdullah Ibn 'Amr "Allah be pleased with him" said: "when I imposed upon myself hard terms in religion, I was put to difficulty. The Prophet "peace be upon him" said to me: "You do not know, perhaps you would live a long life (until you become so much old and weak that you would be forced to bear those hard burdens for a long time)." Consider here how he regarded that to abide by doing something regularly, which is not compulsory (under Shari'ah) would not put him to difficulty until death. But later on, he said: "Then, I turned (to live a long life and was obliged to bear those hard burdens) as The Prophet "peace be upon him" had said to me. When I grew old, I wished I had accepted the concession given to me by The Prophet "peace be upon him"."

It is within this context that the statement of The Messenger of Allah "peace be upon him" should be construed in the Hadith narrated on the authority of Abu Qatadah "Allah be pleased with him", in which he said: "What about him who fasts two days, and leaves fast for one day?" he "peace be upon him" said: "Could anyone have power to endure that?" in reply to fasting a day and leaving fasting on the other day (i.e. to fast on alternate days), he said: "Would that I have power to do it" ⁽²⁾, i.e. to do it regularly. He indeed used to practice Wisal (to fast uninterruptedly more than a day) and say in comment on that: "I am not like anyone of you. I am given food and drink by my Lord at night."

(1) It is narrated by Al-Bukhari, Hadith no. 5063; 'Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

(2) Sahih Muslim, Hadith no. 196[1162].

It is narrated on the authority of Anas Ibn Malik "Allah be pleased with him" that he said: Sometimes, The Messenger of Allah "peace be upon him" would not fast (for so many days successively) that we thought that he would not fast that month; and sometimes he used to fast (for so many days successively) that we thought he would not leave fasting throughout that month.⁽¹⁾

It is further narrated on the authority of 'A'ishah and Ibn 'Abbas "Allah be pleased with them" that she said: "The Messenger of Allah "peace be upon him" used to fast (for many successive days) till one would say that he would never stop fasting, and leave fasting (for many successive days) till one would say that he would never fast."⁽²⁾

(1) Al-Bukhari, Hadith no. 1871.

(2) Al-Bukhari, Hadith no. 1866, 1870.

3.5. A Chapter On The Intention Of Commitment To Do A Deed

Being so, if one does a deed with the intention to commit oneself to it, that commitment is principally unfavorable, should it lead to boredom and tire, since it would result in many things, all of which are forbidden.

One of the reasons lying behind this is that Allah and His Messenger "peace be upon him" made things easy in this religion, as a gift to the people; and the one who enjoins upon himself such commitment seems to reject that gift; and as this conduct is unfit for anyone with his master, what do you think it to be for a slave with his Lord Almighty?

The second is to feel afraid of falling short or even failure to do deeds which are more confirmed in Shari'ah. The Messenger of Allah "peace be upon him" said about the fasting of David "peace be upon him": "He used to fast on alternate days, and he used not to flee on meeting the enemy." He said so in order to bring to mind that his fasts did not make him too weak to meet the enemy, forcing him to flee from fighting in the Cause of Allah (which is more confirmed in Shari'ah than fasting).

It was said to 'Abdullah Ibn Mas'ud "Allah be pleased with him": "You indeed do not observe so many fasts." He said: "No doubt, Fasting engages me from reciting the Qur'an, which is dearer to me than fasting."

For the same reason, Malik disliked to spend the whole night standing (in prayer), for fear one would get up in the morning too weak to do the deeds; and there is a good pattern in The Messenger of Allah "peace be upon him". Then he said: "There is no harm in it so long as it does not have a negative effect on the Morning Prayer."

Although fasting the day of 'Arafah effaces the sins of two years (the preceding and succeeding ones), leaving fast is better for the pilgrim, since it provides him with the power to keep standing and supplicating. A story is reported by Ibn Wahb in this context.

The Messenger of Allah "peace be upon him" said also to Ibn 'Amr: "Your family (wife) has a right on you, your guests have a right on you, and your soul has a right on you."⁽¹⁾ If one devotes himself to an act of worship which is not binding upon him, in principal, this might engage him, and, more likely, cause him to neglect some of those rights.

It is narrated on the authority of Abu Juhaifah "Allah be pleased with him" that he said: The Prophet "peace be upon him" made a bond of

(1) Al-Bukhari, Hadith no. 1867.

brotherhood between Salman and Abu Ad-Darda." Salman paid a visit to Abu Ad-Darda' and found Umm Ad-Darda' dressed in shabby clothes and asked her why she was in that state. She replied: "Your brother Abu Ad-Darda' is not interested in (the luxuries of) this world." In the meantime Abu Ad-Darda' came and prepared a meal for Salman, and said to him: "Eat (alone) since I am fasting." Salman said to him: "I will not approach food until you share it with me." So, Abu Ad-Darda' ate (with Salman). When it was night and (a part of the night passed), Abu Ad-Darda' got up (to offer the night prayer), but Salman told him to sleep and Abu Ad-Darda' slept. After sometime, Abu Ad-Darda' again got up but Salman told him to sleep. When it was the last part of the night, Salman told him to get up then, and both of them offered the prayer. Salman said to Abu Ad-Darda': "Your Lord has a right on you, your soul has a right on you, and your family has a right on you; so you should give each his/her right that is due to him/her." They together came to The Prophet "peace be upon him" and narrated the whole story. The Prophet "peace be upon him" said: "Salman has told the truth." At-Tirmithi renders it authentic. ⁽¹⁾

This Hadith combines the rights of the wife in sexual relations, enjoyment and other things he is supposed to do for her, the guest in service, sociability and sharing food with him, the children in maintenance, by getting earnings and service, the soul in relieving it of difficulty and trouble, and the Lord Almighty in all of those, as well as the other duties, be they obligatory or supererogatory, more confirmed in Shari'ah.

It is due on everyone to give each the right that is due to it. If he abides by one, two or three supererogatory acts of worship, this may, more probably, keep him off doing other things, or at least, doing them to the best as he should do, thereby incurring the blame upon himself.

The third is to feel afraid lest the soul would have aversion for that deed which one abides by, for persistence in it may put him to trouble. Once it is time to do it, the soul would become disgusted, and wish not to do it, or not to have abided by doing it regularly.

To this meaning refers the Hadith narrated on the authority of 'A'ishah "Allah be pleased with her" that The Messenger of Allah "peace be upon him" said: "No doubt, this religion is strong. So, take it kindly, and do not cause yourselves to have aversion for the worship of Allah Almighty: of a surety, the uprooted has neither cut distance (enough to reach his destination), nor left behind a mount (to ride to complete his journey)." ⁽²⁾

In this Hadith, he "peace be upon him" likens the one who takes the religion strictly and vigorously to the uprooted who has been cut off in the

(1) Al-Bukhari, Hadith no. 6139; At-Tirmithi, Hadith no. 2413.

(2) It is narrated on the authority of 'Abdullah Ibn 'Amr: Al-Baihaqi in As-Sunan Al-Kubra, 3:19, and Ash-Shu'ab, Hadith no. 3886; It is narrated on the authority of Jabir Ibn 'Abdullah: Al-Bazzar, 74; Al-Hakim in Ma'rifat 'Ulum Al-Hadith, 95-96. [See As-Silsilah Ad-Da'eefah, Al-Albani, 5:469].

middle of the way, because of his violent treatment with his mount, until he stopped and was unable to complete the journey; although if he was kind towards it from the beginning, he would reach the end of the journey safely.

Similarly, man's life is like the journey, whose end is death, and mount his own self. He is required to be kind towards himself in order to be easy on him to reach the end of the journey safely while carrying the obligations. He "peace be upon him" forbade in the Hadith to cause oneself to have aversion for the worship. To be sure, what is forbidden by the lawgiver could not be good, whatsoever.

It is narrated by At-Tabarani on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: When the following Holy statement was revealed: **{O Prophet! Truly We have sent you as a Witness, a Bearer of Glad Tidings, and a Warner, And as one who invites to Allah's (Grace) by His leave, and as a Lamp spreading Light.}** [Al-Ahzab 45-46] The Messenger of Allah "peace be upon him" invited both 'Ali and Mu'ath "Allah be pleased with them" and said to them: "Go and give glad tidings (of good), and make things easy and do not make things hard (on the people). Indeed, it has just been revealed to me: **{O Prophet! Truly We have sent you as a Witness, a Bearer of Glad Tidings, and a Warner, And as one who invites to Allah's (Grace) by His leave, and as a Lamp spreading Light.}**"⁽¹⁾

It is narrated by Muslim on the authority of Sa'eed Ibn Abu Burdah from his father from his grandfather (Abu Musa) "Allah be pleased with him" that The Messenger of Allah "peace be upon him" sent him along with Mu'ath (Ibn Jabal) to Yemen and said to them: "Give glad tidings to the people and do not cause them to have aversion (for the religion), make things easy, and do not make things hard (upon the people), and obey each other, and do not dissent from each other."⁽²⁾

It is narrated on the same authority that whenever The Messenger of Allah "peace be upon him" sent anyone of his Companions in a particular mission (pertaining to a people), he would sent to him: "Give glad tidings to the people and do not cause them to have aversion (for the religion), and make things easy, and do not make things hard (on them)."⁽³⁾ That is indeed forbiddance of rigorist; and the commitment to worship which puts one to difficulty is a kind of it.

It is narrated on the authority of Jabir Ibn 'Abdullah "Allah be pleased with them" that he said: Once, The Prophet "peace be upon him" came upon a man praying over a rock in Mecca. He then left for one of the sides of Mecca and remained there for some time, after which he returned and found the man praying in the same state. On that he said thrice: "O people! Be moderate and

(1) At-Tabarani, Al-Mu'jam Al-Kabir, 11:312; Tafsir Al-Qurtubi, 14:201.

(2) Sahih Muslim, Hadith no. 1732; Sunan Abu Dawud, Hadith no. 4835.

(3) Sahih Muslim, Hadith no. 1732; Sunan Abu Dawud, Hadith no. 4835.

just (in your worship). Verily, Allah never gets bored (of giving reward) until you yourselves get bored (of doing deeds).”⁽¹⁾

It is narrated on the authority of Buraidah Al-Aslami "Allah be pleased with him" that he said: Once, The Messenger of Allah "peace be upon him" saw a man praying, thereupon he asked: "Who is that?" I said: "That is so and so." I made a mention to him of his worship and prayer. On that The Messenger of Allah "peace be upon him" said: "No doubt, the best of your religion is the easiest of its matters (so long as it is permissible).”⁽²⁾

This gives the impression of dissatisfaction with that state (of strict worship), lest it would cause one to have aversion for the deed, which would, more likely, result in leaving it. To leave the deed which one obliges himself to do is unfavorable, since leaving it is to break the pledge.

That is the fourth point, which was attested in the previous one. The Messenger of Allah "peace be upon him": said: "do not cause yourselves to have aversion for the worship of Allah Almighty: of a surety, the uprooted has neither cut distance (enough to reach his destination), nor left behind a mount (to ride to complete his journey)." This indicates that the aversion for the deed (due to difficulty caused by persistence in doing it regularly) may, more likely, lead one to cease to do it. For this reason, The Messenger of Allah "peace be upon him" likened him to the uprooted who is cut off in the middle of the way, and unable to complete the journey. That is also the significance of the statement of Allah Almighty: **{but they did not foster it as they should have done.}** [Al-Hadid 27]

The fifth is to feel afraid of committing excess in the religion. To commit excess is to go beyond the due limits of anything, as far as to the point of hyperbole. In confirmation of that, The Prophet "peace be upon him" said: "O people! Be moderate and just (in your worship). Verily, Allah never gets bored (of giving reward) until you yourselves get bored (of doing deeds)."

Allah Almighty said: **{O People of the Book! commit no excesses in your religion: nor say of Allah aught but the truth.}** [An-Nisa' 171]

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: On the morning of (the day of Jamrat) Al-'Aqabah, The Messenger of Allah "peace be upon him" said to me: "Collect for me pebbles (as small as to be flung with) fingers to throw the Jamrah)." When I put them in his hands, he said: "It is with the like of those! It is with the like of those (that you should throw the Jamrah)! Commit no excess in the religion! Those who were before you had been destroyed only when they committed excess in the religion.”⁽³⁾

The forbiddance to commit excess in the religion includes everything in

(1) Bahr Al-Fawa'id, Al-Kalabathi, 1:253.

(2) Ahamd in Al-Musnad, Hadith no. 18997.

(3) At-Tabarani, Al-Mu'jam Al-Kabir, Hadith no. 12597.

which one may surpass the due limits to the point of hyperbole. Most of these Hadiths previously mentioned, are narrated by At-Tabari.

It is narrated on the authority of Yahya Ibn Ja'dah that he said: It was said: "Do the deed while fearful (of failure to continue doing it regularly), and leave the deed even though you like to do it. However, a deed to be done regularly, no matter how little it might be, is better than a deed to be done intermittently, no matter how much it might be."

It is further narrated that a man came to Mu'ath "Allah be pleased with him" and said to him: "Advise me." He said to him: "Are you going to obey me?" he answered in the affirmative, thereupon he said to him: "Then, alternate between praying (for a part of the night) and sleeping (for the remaining part thereof), fasting (for many days) and leaving fast (for other days), and work to get your earnings, and do not come to Allah Almighty without submitting to Him, and beware of the (evil consequence of the) invocation of the wronged person (against you)."

It is narrated on the authority of Ishaq Ibn Suwaid that The Messenger of Allah "peace be upon him" said to 'Abdullah Ibn Mutarrif "Allah be pleased with him": "O 'Abdullah! (It should be known to you that) knowledge is better than work, and the good deed lies in the middle between the two (extremities of hyperbole and indulgence, and both are) bad deeds, the best of things is the most moderate of them, and the worst walk is to stride violently and arrogantly (as much as to trouble your mount)." ⁽¹⁾

The good deed, in this sense, is to be moderate and just, while the bad deeds are either to exceed the due limits of doing a thing, or to indulge in and fall short of doing it; and that is how the good deed lies in the middle between both extremities. This meaning is referred to by Allah's saying: **{Make not your hand tied (like a niggard's) to your neck, nor stretch it forth to its utmost reach, so that you become blameworthy and destitute.}** [Al-Isra' 29] He further said: **{Those who, when they spend, are not extravagant and not niggardly, but hold a just (balance) between those (extremes).}** [Al-Furqan 67] Of course, to walk violently as much as to trouble one's riding mount is the utmost degree of hyperbole and excess.

The same is narrated on the authority of Yazid Ibn Murrah Al-Ju'fi in which he said: "No doubt, knowledge is better than work, and the good deed lies in the middle between the two (extremities of hyperbole and indulgence, and both are) bad deeds."

It is narrated on the authority of Ka'b Al-Ahbar "Allah be pleased with him" that he said: "No doubt, this religion is strong. So, do not cause yourselves to have aversion for the religion of Allah Almighty, and rather take it kindly. Of a surety, the uprooted has neither cut distance (enough to reach his destination), nor left behind a mount (to ride to complete his journey).

(1) Al-Baihaqi in Shu'ab Al-Iman, Hadith no. 2658.

Furthermore, you should work like the working of a man who sees he will not die today, and be wary like the wariness of one who sees he is going to die in the morrow.”

The same is narrated by Ibn Wahb on the authority of ‘Abdullah Ibn ‘Amr Ibn Al-‘As "Allah be pleased with him".

All of this refers to acting upon regularity in doing the deed, so long as it does not put oneself to difficulty or trouble.

It is narrated on the authority of ‘Umar Ibn Ishaq that he said: “I caught up with some of the Companions of The Messenger of Allah “peace be upon him”, more than those who preceded me (by death) from among them. I have never seen a people easier in conduct and less strict (not vigorous in worship) than them.”

Al-Hasan “may Allah have mercy upon him” said: “The religion of Allah is placed just in the middle between indulgence and hyperbole.”

All evidences in this issue go back to the fact that there should be no difficulty in the religion. Difficulty applies to the present, in case the act of worship is troublesome in itself, as well as to the future, in case it will result from the persistence in doing the deed (regardless of being not troublesome in itself), like the story of ‘Abdullah Ibn ‘Amr "Allah be pleased with him" and others which we have already mentioned.

Therefore, regularity in doing the deed is required, according to the statement of Abu Umamah Al-Bahili "Allah be pleased with him", as confirmed by Allah’s saying: **{but they did not foster it as they should have done.}** [Al-Hadid 27] The Messenger of Allah “peace be upon him” also said in this respect: “The dearest of deeds to Allah Almighty is that to be done regularly, no matter how little it might be.”⁽¹⁾ For this reason, it was the habit of The Messenger of Allah “peace be upon him” that whenever he did a deed, he would not leave it, to the extent that he compensated the two-rak’ah prayer he used to perform after Zhuhr after ‘Asr prayer (when he missed them due to his being busy with the delegate of ‘Abd-Al-Qais).

That is so, even if one does not intend to persist in doing the deed. Then, what do you think if he intends, from the beginning, to persist in doing it? In this case, he is more entitled to do it regularly. That is why The Messenger of Allah “peace be upon him” said to ‘Abdullah Ibn ‘Amr "Allah be pleased with him" in an authentic Hadith: “O ‘Abdullah! Be not like so and so who used to stand (in prayer) at night and (when he was put to difficulty he) abandoned it.”⁽²⁾ That he “peace be upon him” forbade him to be like so and so gives a clear reference to his aversion for leaving the deed.

In sum, the deed which may, more likely, put one to difficulty when it is

(1) It is narrated on the authority of ‘A’ishah. [See Al-Bukhari, Hadith no. 5523, and 1869 with a slight variation of wording.

(2) Al-Bukhari, Hadith no. 1152; Ibn Majah, Hadith no. 1331.

done persistently, should be left. But once the *raison d'être*, i.e. the fear of difficulty, disappears, it should not be abandoned at all, which means that it should be acted upon, as required in principal.

Whoever does it on condition to do it regularly, has indeed done something which is: unfavorable, in principal, in so far as he is, possibly, unable to fulfill the condition; and recommended in so far as he is determined to fulfill it. As far as recommendation is concerned, he is recommended by the lawgiver to fulfill the condition. As far as unfavorableness is concerned, it is unfavorable for him to do it in this sense.

But since unfavorableness is given precedence in this respect, then, to do such a deed as an act of worship thereby to draw close to Allah Almighty is similar to do something one is not commanded to do. From this perspective, he is like the religious innovator who does an act of worship he is not ordered to do at all. By that consideration, this deed could, more easily, be called a religious innovation, just as Abu Umamah "Allah be pleased with him" did (with offering the Tarawih prayer in congregation).

Whereas the deed is principally commanded, regardless of its future difficulty, or with belief to fulfill its conditions, the one who does it is like him who does a supererogatory deed thereby to worship Allah Almighty; and that is valid, under Shari'ah, as proven by the evidences of recommendation. That is why such a person is ordered to fulfill its terms, be it a vow or a commitment. Had it been a religious innovation, of a surety, he would not have been commanded to fulfill its terms, and his deed would have been rendered invalid.

For this reason, when The Messenger of Allah "peace be upon him" saw a man standing in the sun, he asked: "What is wrong with this man?" They (the people) said: "he has vowed that he will stand in the sun and never sit down, and he will never come in the shade, nor speak to anybody, and will fast." On that the Prophet "peace be upon him" said: "Order him to speak and let him come in the shade, and make him sit down, but let him complete his fast."⁽¹⁾

Consider how he "peace be upon him" nullified that he should do a religious innovation which is invalid under Shari'ah, and, in the meantime, ordered him to fulfill what is principally valid under Shari'ah. Had the difference between both been insignificant, then, to differentiate between them would make no sense at all. On the other hand, since the one who does a deed is required to do it regularly, this deed, in itself, should be an act of worship, since by no means would one be commanded to do regularly the permissible, not to mention the unfavorable and the unlawful.

It is within this context that we should understand the statement of The Messenger of Allah "peace be upon him": "Whoever makes a vow to be

(1) Al-Bukhari, Hadith no. 6704 on the authority of Ibn 'Abbas; Abu Dawud, Hadith no. 3300 on the authority of Anas Ibn Malik; Ibn Majah, Hadith no. 2136.

obedient to Allah Almighty should then be obedient to Him.”⁽¹⁾ Allah Almighty also praised the fulfillment of vows when He said: **{They perform (their) vows, and they fear a Day whose evil flies far and wide.}** [Al-Insan 7] He further said: **{Yet We bestowed, on those among them who believed, their (due) reward.}** [Al-Hadid 27] Without doubt, no reward is given but for something that is required, under Shari‘ah.

Consider this concept carefully, since it is on the basis of it that the deed of the righteous predecessors "Allah be pleased with them" was established, in accordance with evidences. With that differentiation, the opposition which seems to the unmindful could be removed, giving way for the consistency of the Quranic Verses, the Prophetic Hadiths and traditions, and the conduct of the early generations, thanks to Allah.

But even, two strong problems still remain, and by solving them, the question would be settled completely. Let us specify a chapter to each one.

(1) It is narrated on the authority of ‘A’ishah: Al-Bukhari, Hadith no. 6318.

4.5. A Chapter On The First Problem

The first problem lies in the fact that there are evidences in opposition to the unfavorableness of obligations the persistence in which puts one to difficulty. The Messenger of Allah “peace be upon him” used to stand (in prayer at night) so long until his feet would get swollen. It was said to him: “Has Allah not forgiven for you your previous and future sins?” he said: “Then, should I not be a thankful servant (to Allah)?” he used to fast no matter how long and hot the day might be. He “peace be upon him” also practiced Wisal in fasting, and at night, he would be given food and drink by his Lord Almighty. As such he used to strive his utmost in worship of his Lord. Of a surety, in The Messenger of Allah “peace be upon him” you should have a good pattern. We are also commanded to emulate him.

It may be argued that this was unique only to The Messenger of Allah “peace be upon him” who was given food and drink at night by his Lord Almighty, and had power to endure what anyone of his ummah could not. But even, this could be refuted with the claim that something like this has been proven from many of the Companions "Allah be pleased with them", the Tabi'is, and the Imams of Muslims who knew well those evidences by which you attested the unfavorableness? Some of those became disabled due to their extreme devoutness, and some had their foreheads like the camel's knee because of prostration so much.

It is narrated that it was the habit of ‘Uthman Ibn ‘Affan "Allah be pleased with him" that whenever he performed ‘Isha’ prayer, he would offer Witr only with one rak‘ah, in which he would recite the Holy Qur’an in full.

Many are those who performed the Morning prayer with the same ablution of ‘Isha’ prayer (in reference to their standing in prayer throughout the whole night) for years, and observed fasts continuously for years, given their deep acquaintance with the Sunnah, from which they never deviated even as little as a finger's breadth!

It is narrated from both Ibn ‘Umar and Ibn Az-Zubair "Allah be pleased with them" that they practiced Wisal in fasting. Malik, the major advocate of imitating the righteous predecessors, made it permissible to fast perpetually along the year, save the days of ‘Eeds.

It is narrated from Uwais Al-Qarni that he used to spend the whole night standing in prayer until morning when he would say: “I have been informed that Allah Almighty has servants who are always in prostration.” As his night prayer was supererogatory, he used to vary his focus: sometimes on prolonging

the prostration, sometimes the bowing, sometimes the standing, and sometimes the recitation of the Qur'an, and so on.

It is narrated from Al-Aswad Ibn Yazid that he used to strive his utmost in worship so much that his body turned green and pale. 'Alqamah said to him: "May Allah bestow mercy upon you! Why do you torment this body?" he said: "Verily, the matter is very serious! The matter is very serious!"

It is narrated on the authority of Anas Ibn Malik "Allah be pleased with him" that the wife of Masruq said: "He (Masruq) used to pray so much that his feet would get swollen, and perhaps I sat behind him, weeping because of what he did with himself."⁽¹⁾

It is narrated on the authority of Ash-Sha'bi that he said: "Masruq fell unconscious on a day as long as fifty thousand years."

It is narrated on the authority of Ar-Rabie' Ibn Khaithamah that he said: I came to Uwais Al-Qarni and he had just finished from the Morning prayer and sat down. I said (to myself): "I will not occupy him from Tasbih." When it was time for prayer (after the sun had just risen), he stood and went on praying until it was time for Zhuhr prayer. When he prayed Zhuhr, he went on praying until it was time for 'Asr prayer. When he prayed 'Asr, he sat and went on remembering Allah until it was time for Maghrib prayer. When he prayed Maghrib, he went on praying until it was time for 'Isha' prayer. When he prayed 'Isha', he went on praying until it was time for Fajr prayer. It was not before this that he was overtaken by slumber. When he woke up I heard him saying: "I seek refuge with Allah from an eye which sleeps again and again, and from an abdomen which is never satisfied."

There are many traditions in this respect reported from the righteous predecessors, all of which indicate to their doing the acts of worship, the persistence in which put them to difficulty. Therefore, they were not considered to have broken the rules of Sunnah: on the contrary, they were regarded among those who preceded to good, may Allah make us of them.

What is forbidden is not to do the required worship in itself in so much as to commit excess in it in a way that puts one to difficulty, and by the disappearance of this reason, the forbiddance becomes ineffective.

For example, when the lawgiver says that 'No judge should pass his judgments while in a state of anger', under pretext of mental distraction from studying the proofs accurately, this forbiddance should be effective with every occasion on which the mind is distracted, and ineffective once the distraction is over, even if one is angry, but not too much to distract his mind from investigating the proofs as he should do. That is indeed valid, under Shari'ah,

(1) Ibn Al-Jawzi, Safwat As-Safwah, 1:305.

in accordance with the fundamentals.

The state of him from whom the reason disappears is like the one who acts with the motives of fear, hope or love. The fear is like a driving whip, the hope a sharp leader, and the love a sweeping torrent. If the fearful finds difficulty, his fear of what will be more difficult (in the future) will force him to be patient on what is less, no matter how difficult the deed in itself might be. Similarly, the hopeful does the deed, even though he finds difficulty, for his hope for attaining the comfort entirely leads him to be patient on the trouble whatsoever. The lover also does, and strives himself out of longing for the beloved, which makes the difficulty easy upon him, and the far seem close in his eyes. In spite of this, he does not see that he has fulfilled the pledge of love, nor showed gratitude for the favor as it should be, and although he takes full breath, he always feels he is not satisfied.

Being so, it is valid to combine those evidences, and permissible to do the deed with commitment, and further act upon it strongly, whether absolutely, or with assumption of the disappearance of the reason (of unfavorableness), even though there will be difficulty in the future, provided that the perpetrator will keep regularity in doing it. In this way, his conduct will correspond to the evidences, and the doing of the righteous predecessors.

In reply to this question, let us confirm, at first, that the evidences of forbiddance are authentic, clear and explicit. As to what has been handed down from the righteous predecessors, it is open to three interpretations:

The first is that they might, probably, acted upon moderation with which regularity is assumed. They did not oblige themselves to do anything which would put them to difficulty, because of which they would be forced to leave what is preferable, to leave the deed itself, or to have aversion for it in view of its heaviness upon them. On the contrary, they obliged themselves to do only what seemed easy upon themselves, for they sought ease rather than difficulty.

That was the state of The Messenger of Allah “peace be upon him” and the early generation, whose deeds have been mentioned above, on the basis of the fact that they acted upon the Sunnah and the general way to be followed by all persons competent for religious assignments.

That is the approach of At-Tabari in reply to this question. What has been mentioned above in the question, which seems different, does not go beyond particular cases and issues, which could be construed correctly, if it is proven that the perpetrator is of those fit for being imitated by others.

The second is that they might, probably, followed an approach of exaggeration as much as lies within their capacity, but not by way of commitment. One may do deeds the persistence in which is difficult, even though they seem easy at the moment. In those deeds, he utilizes his activity in

the beginning, giving no importance to what will be in the future. Of course he attempts to remove the difficulty, and because of his failure to do so, he then leaves the deed, in which case, there is no blame on him, under pretext that there is no blame on leaving the recommended deeds in general.

An impression of that meaning is given by that Hadith narrated on the authority of ‘A’ishah "Allah be pleased with her" in which she said: The Messenger of Allah “peace be upon him” used to fast till one would say that he would never stop fasting, and abandon fasting till one would say that he would never fast. I never saw The Messenger of Allah “peace be upon him” fasting for a whole month except the month of Ramadan, nor did I see him fasting in any month more than in the month of Sha‘ban.

Reflect here the consideration given to activity and disengagement from fulfilling the relevant rights, and the strength (and weakness) in doing the deeds. A mention may be made here of the statement of The Messenger of Allah “peace be upon him” to ‘Abdullah Ibn ‘Amr "Allah be pleased with him" about fasting two days and leaving fast on one day: “Would that I could have power to do it.” He meant regularity, for he used to fast for many days consecutively so much that they would say that he would not leave fasting, and also leave fasting for many days consecutively so much that they would say that he would not fast.

That concept is not contradicted by the statement of The Messenger of Allah “peace be upon him”: “The dearest deed to Allah Almighty is that to be done regularly, no matter how little it might be”, as it is construed to refer to the deed, the persistence in which makes it difficult.

As to what is handed down from them, in regard with the evidences that some of them prayed the Morning with the same ablution of ‘Isha’ prayer (in reference to spending the whole night in prayer), some of them used to spend the whole night standing in prayer, some of them fasted perpetually, and so, they might, probably, have done so but in accordance with the mentioned condition. That is, not to oblige oneself to do the deed regularly, but to do it as long as one is too active to do it, and leave it as long as he is not active to do it. If another time comes upon him in which he finds himself active enough to do the deed, he then will do it, provided that he should not fall short of doing what is preferable. This activity may happen to remain with him for a long time. In each case, he has the liberty to leave it (the deed, if he finds himself not active enough). But, as he utilizes every opportunity in which he is active to do the deed until the end of his life, one may think that he obliges himself to do the deed regularly, although it is not so in reality. That is acceptable, esp. in the accompaniment of the driver of fear, the leader of hope or the bearer of love.

That is the significance of the statement of The Messenger of Allah

“peace be upon him”: “The pleasure of my eye has been made in prayer.”⁽¹⁾ It is within this context that The Messenger of Allah “peace be upon him” stood (at night in prayer) so much until his feet got swollen, and complied with the command of his Lord Almighty in His saying: **{Stand (to prayer) by night, but not all night, Half of it, or a little less, Or a little more; and recite the Qur’an in slow, measured rhythmic tones.}** [Al-Muzzammil 2-4]

The third is that the difficulty a competent for religious assignment may suffer with persistence or non-persistence in doing the deed is irregular. It differs according to the difference of men in the power of their bodies, determination, beliefs, or so. One deed may differ for two persons, due to the fact that one of them has a stronger body, a more powerful determination, or is more certain about the promised reward. The stronger those factors are, the weaker the difficulty becomes, and the weaker those are, the stronger the difficulty becomes consequently.

Let us say that every deed is forbidden for Zaid if his persistence in it puts him to difficulty, and is not forbidden for ‘Amr if his persistence in it does not put him to difficulty. The regularity on the basis of which the early generation did the deeds should be construed within the context that it caused no difficulty to them, even though what is less might seem difficult on us. So, that they did such deeds regularly should not be taken a proof for us to do the same like them, unless we have the same reason, i.e. doing them regularly does not put us to difficulty, as it did with them.

Anyway, to stick to moderation and kindness in all matters is preferable for all the people, as attested by the various indications; unlike taking the religion strongly, which is difficult upon the majority of the people, and only a very few of them could find it easy upon themselves.

The evidence for that is the statement of The Messenger of Allah “peace be upon him”: “I am not like anyone of you. I am given food and drink by my Lord Almighty at night.” He “peace be upon him” meant that practicing Wisal in fasting caused no difficulty to him, nor did it impede him from fulfilling the right of Allah and the rights of the people perfectly. Henceforth, whoever is endowed with a model like that given to The Messenger of Allah “peace be upon him”, with which he becomes able to take on the deed strongly, with full energy, activity and ease, there will be no blame on him.

That The Messenger of Allah “peace be upon him” disapproved of the behavior of ‘Abdullah Ibn ‘Amr “Allah be pleased with them” may go back to his anticipation that he would not endure doing it regularly; and what he expected really took place afterwards, to the extent that he said: “Would that I

(1) Ahmad in Al-Musnad, 3:128, 199, 285; An-Nasa’i in Al-Mujtaba, 7:61, and As-Sunan Al-Kubra, Hadith no. 8887.

accepted the concession given to me by The Messenger of Allah “peace be upon him”!”

the behavior of both Ibn Az-Zubair and Ibn ‘Umar "Allah be pleased with them" could be justified by the argument that they were endowed with a share of strength and power given to The Messenger of Allah “peace be upon him”.

Being so, the conduct that is reported to us from the early generation will not disagree then from what has already been mentioned, thanks to Allah.

5.5. A Chapter On Justification For Forbiddance

There is still a need to discuss the justification for forbiddance, which should lapse once the *raison d'être* disappears. However, what they mentioned in it is correct in general. But the details need further discussion. The *raison d'être*, on investigation, goes back to two things:

One is the fear of stop and interruption if one obliges himself to do a thing the persistence in which puts him to difficulty. The other is the fear of falling short of doing the deeds which are more confirmed, concerning the fulfillment of the right of Allah, and the rights of the people.

As for the first, The Messenger of Allah “peace be upon him” laid the foundation of a principle which makes a certain rather than uncertain rule. That is, the deed which will put one to difficulty if it is done regularly is void under Shari’ah, on the basis of the fact that putting oneself to difficulty in principal is void in it. That is because he “peace be upon him” was sent with the tolerant true religion, and the tolerance never agrees with difficulty. Whoever obliges himself to do a deed which brings about difficulty upon himself, may, more likely, exceed the due limits of moderateness to intemperance against himself, upon his own will rather than upon command of the lawgiver.

One may do a deed on condition that he should fulfill it: if he fulfills it, that will be good. That is because the deed seems to be either not difficult, and that is why he fulfills its condition, or difficult, and in this case, he shows patience on it, on the account of neglecting the right of kindness his own soul has upon him. But if he does not fulfill its condition, he will seem to repeal the pledge of Allah; and that is a grave sin. If he remains free from obligation of commitment, he then will do no sin.

But it may be argued that forbiddance here is suspended on the kindness towards the perpetrator, as shown in the statement of ‘A’ishah “Allah be pleased with her”: “The Messenger of Allah “peace be upon him” forbade *Wisal* in fasting, out of mercy for them.” He seems to consider here the share of the soul in the worship, according to which one is given the freedom to do (the supererogatory deed) if he could do, or leave it if he could not do. That is, do not lay upon yourself the difficulty of doing what may trouble you just as you do not do in regard with the obligatory duties.

Allah Almighty ordained the obligatory duties to be easy on the servants in such a way as allows for all of them to share in it, be they strong or weak, old or young, free or slave, man or woman; and if a particular obligatory duty may put the competent for religious assignments to difficulty, it would lapse from him in general, or he would make up for it in a way that does not put him

to difficulty. The same applies to the supererogatory deeds in issue.

Since the share of the soul is observed, then, it is up to the perpetrator to or not to take on the deed strongly. He has the freedom to deprive his own self of its share, and function it in what is difficult upon it, by doing the deed regularly, on the basis of the Shari'ah-rooted rule of the possible cancellation of shares. By that consideration, the deed is not forbidden for him.

as well as one's right is due so long as he demands it, and he has the freedom to choose not to demand it, thereby it will not become due, the forbiddance here is intended to preserve the share of the soul, and if one cancels it, the forbiddance then should lapse, and the deed returns to become recommended (as it has been before forbiddance).

In reply to this, let us say that the shares of the souls may be said to be of Allah's rights upon the servants, or of the rights of the servants themselves. In the first case, the competent for religious assignments has no freedom of choice. As well as one is required to be kind towards others, he is obligated to be kind towards himself. That is the significance of the statement of The Messenger of Allah "peace be upon him": "Your soul has a right on you, your body has a right on you, your wife has a right on you, and your guest has a right on you. So, you should give each his right that is due to him."."

This term is given only to what is due. The evidence is that it is illegal for anyone to make lawful for himself or anyone else to kill him, cut off any of his organs and parts of body, or cause pain to his body whatsoever; and whoever does so will sin and deserve punishment for it.

If we adopt the other claim, that the shares of the souls belong to the rights of the servants themselves, this argument should not be taken absolutely, since it seems clear in the fundamentals that the rights of the servants are inseparable from the rights of Allah Almighty.

The evidence for that, in our question in issue, is that had we had the absolute freedom of choice in it, it would not have been forbidden for us, and it would rather have been up to us to do or leave it, in principal. If the competent for religious assignments had the freedom of choice in the worship, it would have been permissible, for instance, for the vow maker to leave the vow whenever he likes, and do it whenever he likes.

There is consensus among the religious scholars and Imams on the obligation to fulfill the vow and what is in its position. We also have understood from Shari'ah that faith was endeared to us, and made alluring to our hearts. An aspect of its allurements is to be validated in a way that makes it easy to do the worship related to it, with no difficulty.

Since to take on the worship strongly usually develops aversion, boredom and interruption, which opposes the endearing of faith and making it alluring to the hearts, it then is unfavorable, because it disagrees with the way Shari'ah has been ordained. That is why one should not take on it in that manner previously described.

The second point is that the rights due on the competent for religious assignments are of various kinds, and subject to different rulings, as indicated by the fundamental proofs. It is a well-known fact that if two rights combine on the competent for religious assignments, and he is unable to fulfill them both, he then should give priority to the one which is more confirmed according to the evidence. For instance, if an obligatory duty and a supererogatory recommended deed combine upon one, he is required to give precedence to the obligatory duty, and the recommended, at the time being, loses the validity of recommendation, and it becomes binding, under Shari'ah or reason, to be left immediately.

But what about the recommended deed itself? If it is to be left, under reason, this means that it is rewardable, even though doing it may lead to neglecting the obligatory. If it is to be left under Shari'ah, it is unlikely to be regarded rewardable except in some point, even though doing it also may lead to neglecting the obligatory.

You see then how the commitment to do the supererogatory deeds regularly may lead, in case it is to put one to difficulty, not to mention its keeping him off doing the obligatory, intentionally or unintentionally. That is included under the general significance of the story of Salman with Abu Ad-Darda' "Allah be pleased with them": how his commitment to stand (in prayer) at night regularly impeded him from doing the rights of his wife due upon him, i.e. the right of sexual enjoyment, and the same applies to his regular fasts by day.

The same is true of the Duha prayer, if commitment to perform it regularly will cause one to neglect looking after his sick person, or maintaining his family and dependents, by providing sustenance for them, or will lead to anything else, even though less in rank, such as the weakness of his body, and exhaustion of his power, in such a way as makes him unable to get earnings for his family, perform the obligatory duties to the best, take part in Jihad, seek after knowledge, or so, as highlighted by the Hadith about the Prophet David "peace be upon him" who used to fast on alternate days, and not to flee whenever he met the enemies.

In regard with the obligatory fasting, the Muslims were given the freedom to choose to fast on journey if they so liked, or leave fasting if they so liked. But later, in the year of the conquest (of Mecca), The Messenger of Allah "peace be upon him" said to his Companions: "You have now come at a short distance from your enemies, and leaving fast will make you stronger." Abu Sa'eed Al-Khudri "Allah be pleased with him" said: "However, some from among us kept fasting, and others broke fasting. Then, we (proceeded on until we) got down at a certain place, whereas he (The Prophet) said: "You are going to meet your enemy in the morning, and breaking fast is to make you more powerful. So, you should break fast." It was like an original ruling given to us

by The Messenger of Allah “peace be upon him”; and we broke our fast.”⁽¹⁾ It refers to the fact that fasting may cause one to become too weak to meet the enemy and practice Jihad; and of course, the supererogatory fasting is more convenient to be subject to that ruling.

It is narrated on the authority of Jabir Ibn ‘Abdullah "Allah be pleased with them" that once the Messenger of Allah “peace be upon him” saw a man being (put to difficulty because of fasting on journey, and he was) shaded by others, and there were a crowd of people surrounding him, thereupon he said: “It is not out of righteousness to observe fast on journey.”⁽²⁾

He means that the obligatory fasting on journey, should it put one to such an extent of difficulty as highlighted above, is not out of righteousness, given that there is concession to leave it. In this context, the concession is required, in such a way as makes it more confirmed than the fulfillment of the obligatory. Being so, the supererogatory deed, which is not obligatory in principal, is more worthy of that ruling.

In sum, whoever obliges himself to do anything that may bring about difficulty upon him has not followed the way of righteousness.

(1) Sunan Abu Dawud, Hadith no. 2408; Tahthib Al-Athar, At-Tabari, Hadith no. 1857.

(2) Sunan Abu Dawud, Hadith no. 2407.

6.5. A Chapter On The Second Problem

The second problem lies in the fact that the commitment to do the supererogatory deeds, the persistence in which puts one to difficulty opposes the evidence. Being so, the one who worships Allah with them indeed worships Allah with something not validated by Shari'ah; and that is the religious innovation, in essence. It may or may not be addressed by evidences in condemnation of religious innovation. If there is evidence in condemnation of it, that is illogic due to two reasons:

The first is that when The Messenger of Allah "peace be upon him" disapproved of the behavior of 'Abdullah Ibn 'Amr "Allah be pleased with him" and the latter said: "I have power to do more", he then gave him his final reply: "There is nothing better than that." Then, he left him with his commitment. Had 'Abdullah "Allah be pleased with him" not understood that the Prophet "peace be upon him" validated his commitment after he had forbidden him (to put himself to difficulty), he then would not have obliged himself to do his act of worship regularly, as referred to by his statement afterwards: "Would that I accepted the concession given to me by The Messenger of Allah "peace be upon him"."

If we say that it is a religious innovation, and every religious innovation is condemned, this means that he "peace be upon him" validated his mistake; and of course, that is impermissible. It should not also be believed that anyone of the Companions "Allah be pleased with them" disagreed from the command of The Messenger of Allah "peace be upon him" to worship Allah Almighty with something forbidden by him. The Companions "Allah be pleased with them" were too fearful of Allah to do so. The same applies to what has been proven from others than him, in regard with practicing Wisal in fasting and the like of it. Being so, it should not be described as a religious innovation.

The second is that the perpetrator who does it regularly should oblige himself to fulfill its condition. If he abides by the condition and does it to the best, he will have then achieved the purpose of the lawgiver, in which case, it will not be forbidden, and there will be no violation of evidence. In this way, there is no religious innovation.

But if he fails to abide by fulfilling it: if it is out of his own will, that will be a clear violation of evidence. It is like the vow maker who does not fulfill his vow with no excuse. But even, neither his leaving, nor his acting upon it would be called a religious innovation, nor would he be described as a religious innovator.

If there are such excuses as sickness, journey or the like of that, it should

not be regarded a violation, just in the same way as the failure to do an obligatory duty because of some excuses is not a violation, like the fasting for one on journey, the performing of Hajj for him who could not do it, and so, in which case, there is no religious innovation.

But if it is not addressed by condemnation evidence, it has been proven that there are religious innovations which are not forbidden, therewith one worships Allah. They do neither belong to the consideration of the public interests in the matters not specifically addressed by Islamic texts, nor to any such like: I mean those things which have a foundation in general. Does this principle then include every act of worship one abides by, whether or not it has a foundation?

It includes that which has a foundation in general, rather than in detail, such as to favor the night of the birth of The Messenger of Allah "peace be upon him" with standing in prayer, and its day with fasting, to stand in prayer on the night of the first Friday of Rajab, and the middle night of Sha'ban, to abide by supplication loudly after the obligatory prayers, while the Imam is standing, and the like of those things which have a clear foundation. At this point, all what has already been mentioned becomes void.

In reply to the first, let us acknowledge that the validation is authentic. Forbiddance may, possibly, be accompanied with right direction to an external matter. The forbiddance here does not go back to a defect in the act of worship itself, or in one of its pillars, in so much as to the fear of an expected thing, as stated by 'A'ishah "Allah be pleased with her" concerning the forbiddance of Wisal: "That was as a punishment for them when they refused to stop (Wisal)."⁽¹⁾ Had it been forbidden in itself, they would not have done it afterwards.

Consider how one thing may be an act of worship on the one hand, and forbidden on the other hand.

It has a match in jurisprudence. That is, what a group of investigators say about selling after the call to Jumu'ah prayer. It is forbidden not in terms of being selling in so much as because it impedes the people from attending the Jumu'ah ceremonies. They make the transaction permissible once it takes place, regardless of making the selling invalid in essence. Although it is clearly forbidden, this forbiddance does not go to the essence of selling in so much as to an external thing. For this reason, those who judge that it should be rescinded justify their opinion as a kind of deterring the parties of transaction rather than on the basis of forbiddance. In the sight of those, selling is not invalid. The command to do an act of worship is one thing, and that the competent for religious assignment does or does not it is another thing.

That The Messenger of Allah "peace be upon him" validated the commitment of 'Abdullah Ibn 'Amr "Allah be pleased with him" after he had

(1) Al-Bukhari, Hadith no. 1965.

forbidden him at first is not considered illogical. Here, The Messenger of Allah “peace be upon him” in such questions is like the instructor who guides the novice competent for religious assignments, by giving advice when he assumes that advice is needed. But when the competent for religious assignments laid upon himself the difficulty of his striving, regardless of the advice of the one who is more acquainted with the vicissitudes of souls, he became like the one who followed his opinion even in the presence of the text depending on his interpretation of it. If this is called a religious innovation, by wording, it will be only by that consideration, otherwise, he follows the evidence given by the adviser, which is to devote oneself wholeheartedly to the worship of Allah.

From this perspective, it was called an addition religious innovation. That is, the evidence for it is overweighed for him who finds it difficult upon himself to do it regularly, and preponderant for him who could fulfill its condition and do it regularly. For this reason, ‘Abdullah Ibn ‘Amr "Allah be pleased with him" fulfilled it even after he became weak, regardless of the difficulty he suffered because of that, to the extent that he wished he had accepted the concession given to him in it by The Messenger of Allah “peace be upon him”. Unlike is the real religious innovation, for which there is no evidence at all. This question is like that of the mistake committed by the Mujtahid; and it will be discussed later, Allah willing.

As for the argument that if the perpetrator abides by the deed and fulfills its condition to the best, that is good, it is valid, without doubt. But that he could leave the act of worship due to a legal excuse is irrelevant to our point in issue. We discuss the case in which he leaves it due to something he himself has caused. For example, to leave Jihad out of his own will (i.e. with no legal excuse), is an apparent violation, whereas to leave it because of such a legal excuse as ailment or so is not a violation.

If he does something which causes him to fall ill and thus become unable to take part in Jihad, that will make him stand in the middle between both extremes. He will not be praised for bringing about the impediment. It is similar to taking on the deed strongly, which leads him to have aversion for it, or fall short of doing the obligatory, thereby he will violate forbiddance. But he will be excused for the difficulty which impedes him from doing the act of worship as it should be done. That is a midway between two extremes, no one of which could overweigh the other.

As for the claim that it has been proven that some religious innovations are not forbidden, that is not right. However, the recommended, in terms of being a recommended deed, resembles the obligatory from the perspective of the absolute command, and the permissible from the perspective of the fact that there is no blame in leaving it.

It stands in the middle between both extremes, and could not give predominance to anyone over the other. But the rules of Shari‘ah stipulated a condition for doing it, and a condition for leaving it. The condition of doing it

is not to commit it in a way that puts him to difficulty which, in turn, leads to revoking the recommendation or what is preferable of deeds. But what is beyond that is up to the competent for religious assignments.

If he does it, he may do with the intention either to or not to revoke the condition. If he intends to revoke the condition, that is the topic of our next talk, Allah willing. That is, the lawgiver commands him to remove the difficulty from himself, whereas he insists on putting himself to difficulty, laying upon himself what is beyond its capacity, and further falling short of many obligatory duties and acts of Sunnah, which are preferable than the deed in issue. It is known that this is a condemned religious innovation.

If he does the deed without that intention, he may or may not do the recommended as it should be. If he does it as it should be, i.e. to do it as much as lies within his capacity whenever he finds himself too active to do it, in such a way that it does not compete with any other deed which is preferable, that is indeed the mere Sunnah, which is indisputable, because the evidences combine to support that kind of deed. Whereas he was commanded to do, he does, and does not leave it, and whereas he was forbidden to take on the deed strongly and put himself to difficulty, he is cautious about that. That is undoubtedly valid; and it was the method of the first generation, and those who came after them.

But if he does it not as it should be, i.e. obliges himself to do it persistently (regardless of the consequential difficulty and changing conditions), that is principally unfavorable.

But it is understood from Shari'ah that if he fulfills, it may be that his fulfillment would be expiation for (the violation of) forbiddance, under pretext that Allah Almighty praised those who perform their vows, and those who fulfill their covenants. If he fails to fulfill, forbiddance should be observed, and he may incur upon himself the sin of vowless commitment. For this reason, i.e. the possible failure of fulfillment, it is called a religious innovation. It is so not because the deed is groundless, since the evidence for it is standing.

If one obliges himself to do some recommended deeds, doing which regularly is thought or assumed not to put him to difficulty, the forbiddance will not include him, for what he does are but recommended deeds, like the supererogatory prayers whose performance is regular (before/after the obligatory prayer), Tasbih, Tahmid, Takbir and Tahlil following each of those prayers, and the verbal Thikr by which one abides every morning and evening, and the like of those which neither causes one to fall short of the preferable deeds, nor puts him to difficulty, whether by acting upon it in itself or by doing it regularly.

It is that division of deeds to which the people were unequivocally exhorted to do regularly. 'Umar "Allah be pleased with him" gathered the people to perform the Tarawih prayer of Ramadan in congregation in the mosque, and then the people went on doing it after him. That is because it was

an act of Sunnah proven from The Messenger of Allah “peace be upon him”. He also made them do what is within their capacity, which they did lovingly and willingly only for one month, and not persistently along the whole year. He said to them: “given that the prayer they perform after sleeping (i.e. at the last part of the night) is better.”⁽¹⁾

The righteous predecessors understood that to stand (in prayer at night) in their houses is better. So, a lot of them used to turn away (after performing ‘Isha’ prayer in the mosque), and stand (in prayer) at their houses. But even, he said: “How excellent is this religious innovation!” he called it a religious innovation as you see, and Allah knows best, under consideration of doing it regularly, even though for only a month in the year, in which he was unprecedented, since those who were before him (the Prophet and Abu Bakr) did not establish it as a regular deed to be performed in congregation in the Prophetic mosque. But anyway, the deed, in itself, was done before.

Therefore, in the presence of the proof for doing it in that very manner, he said: “How excellent is this religious innovation!” of course, his appreciation for it deprives it of being a religious innovation (that is invalid under Shari’ah according to the definition given to the term).

It is within this context that Abu Umamah "Allah be pleased with him" said his words in which he quoted the Quranic Verse (Al-Hadid 27). He said: “You have invented the standing (in congregational prayer at night) during the month of Ramadan, even though it was not prescribed for you. It is only fasting which was enjoined upon you.” Had it been a real religious innovation (according to its definition), of a surety, he would have forbidden it.

From that perspective, we gave the term ‘the additional religious innovation’ to the acts of worship forbidden by The Messenger of Allah “peace be upon him”, the persistence in which would put one to difficulty. We did so in order that anyone should deal with it properly, and avoid taking it to establish the proof for acting upon the real religious innovation, unknowingly. It is the necessity which required us to bring this term here, although we had not to do it; and success lies with Allah

(1) It is narrated on the authority of ‘Abd-Ar-Rahman Ibn ‘Abd-Al-Qari that he said: I went out in the company of ‘Umar Ibn Al-Khattab one night in Ramadan to the mosque and found the people praying in different groups: A man praying alone or a man praying with a little group behind him. So, ‘Umar said: In my opinion it would be better to collect these (people) under the leadership of one Reciter (and let them pray in congregation). So, he made up his mind to congregate them behind ‘Ubai Ibn Ka’b. Then on another night I went again in his company and the people were praying behind their reciter. On that, ‘Umar remarked: “What an excellent religious innovation this is; though the prayer which they do not perform, but sleep at its time is better than the one they are offering.” He meant the prayer in the last part of the night. (In those days) people used to pray in the early part of the night. [Sahih Al-Bukhari, Hadith no. 2008].

7.5. A Chapter on another Example of Additional Religious Innovation

Allah Almighty said: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess. Eat of the things which Allah has provided for you, lawful and good; but fear Allah, in whom you believe.}** [Al-Ma'idah 87-88]

Many stories are narrated in connection with the occasion on which those Holy Verses were revealed, and all of them are centered on one concept, that is, making unlawful the good things which Allah Almighty has made lawful, by way of religiousness or semi-religiousness. But Allah Almighty forbade it, and made it a transgression, and of a surety, Allah loves not the transgressors. Then, he made it permissible for them to eat of what He provided for them, of the good and lawful things. His command to fear Allah gives the impression that making unlawful what has been made lawful opposes the piety and fear of Allah.

It is narrated by Isma'eel Al-Qadi on the authority of Abu Qilabah that he said: A group of the Companions of The Messenger of Allah "peace be upon him" liked to abstain from this world, thereupon they abandoned women, and athered to monasticism. On that The Messenger of Allah "peace be upon him" stood and addressed us with a harsh speech in which he said: "Those who were before you were destroyed only by rigorist: when they imposed upon themselves hard terms in the religion, Allah Almighty made things hard upon them. Those are their remains in churches, synagogues and hermitages. Worship Allah, and associate nothing with Him, and perform Hajj and 'Umrah, and do a right course, so that your path would become straight with you." On that occasion, Allah Almighty revealed: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess. Eat of the things which Allah has provided for you, lawful and good; but fear Allah, in Whom you believe.}** [Al-Ma'idah 87-88]⁽¹⁾

It is narrated by At-Tirmithi on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: A man came to The Messenger of Allah "peace be upon him" and said: "O Messenger of Allah! Whenever I ate meat, my sexual desire for women would be stimulated, thereupon I forbade it to myself." On that Allah revealed: **{O you who believe! make not unlawful**

(1) Tafsir At-Tabari, 10:515; Ad-Durr Al-Manthur, As-Suyuti, 3:140; Tafsir As-Sun'ani, 1:192.

the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}⁽¹⁾

It is narrated on the authority of Ibn ‘Abbas "Allah be pleased with them" that he said: This Holy Verse was revealed in connection with a group of the Companions of The Messenger of Allah "peace be upon him" including Abu Bakr, ‘Umar, ‘Ali, ‘Uthman Ibn Maz‘un, Ibn Mas‘ud, Al-Miqdad Ibn Al-Aswad Al-Kindi, Salim, the freed slave of Abu Huthaifah "Allah be pleased with them". They gathered in the house of ‘Uthman Ibn Maz‘un and agreed to get themselves castrated, keep aloof from women, to avoid eating meat and fat, to put on sack clothes, and not to eat but what sustains their lives, and to travel through the land like monks.

Their news reached The Messenger of Allah "peace be upon him", who went to the house of ‘Uthman Ibn Maz‘un and found neither him nor them there. He said to the wife of ‘Uthman, Umm Hakim, daughter of Abu Umayyah Ibn Harithah As-Sulami: "Is it true the news that has reached me about your husband and his companions?" she said: "What is that O Messenger of Allah?" he told her. Disliked to tell The Messenger of Allah "peace be upon him" but the truth, and, in the mean time, to divulge the news of her husband, she said: "If ‘Uthman told you, then, he has told the truth." The Messenger of Allah "peace be upon him" said to her: "Tell your husband and his companions once they return that The Messenger of Allah "peace be upon him" tells you that 'I eat and drink, eat meat and fat, sleep, and have sexual relation with women (my wives): whoever then turns away from my Sunnah is not from me (i.e. is not one of my followers).'"

when ‘Uthman and his companions returned, she told them as The Messenger of Allah "peace be upon him" commanded her, thereupon they said: "No doubt, our matter has reached The Messenger of Allah "peace be upon him": what amazing! Let us leave what The Messenger of Allah "peace be upon him" disliked." In this connection, Allah Almighty revealed: **{O you who believe! make not unlawful the good things which Allah has made lawful for you [i.e. food, drink and sex], but commit no excess [i.e. do not cut off your male organs]; for Allah loves not those given to excess [i.e. who make unlawful what is lawful].}**⁽²⁾

It is narrated in an authentic Hadith on the authority of ‘Abdullah Ibn Mas‘ud "Allah be pleased with him" that he said: "We used to take part in fight along with The Messenger of Allah "peace be upon him" and since we had no women with us, we said: "O Messenger of Allah! Should we not get ourselves castrated?" he forbade us to do so. Afterwards, he gave us concession that

(1) At-Tirmithi, Hadith no. 3242 [see Tuhfat Al-Ahwathi, 8:329]; Al-Bukhari on the authority of Ibn Mas‘ud, Hadith no. 4615, 5071, 5075.

(2) Tanwir Al-Miqyas Min Tafsir Ibn ‘Abbas, Al-Fairuzabadi, 1:79; Tafsir Ibn Kathir, 2:83-84.

anyone of us might marry a woman in return for (a dowry even if it was) a garment for a fixed term." He means, and Allah knows best, the abrogated temporary Mut'ah marriage. Then, Ibn Mas'ud "Allah be pleased with him" recited: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}**⁽¹⁾

It is narrated on the authority of Yahya Ibn Ya'mur that 'Uthman Ibn Maz'un "Allah be pleased with him" intended to travel through the land (as a kind of religious service), and he used to observe fast by day and stand (in prayer) at night uninterruptedly. On the other hand, his wife was a young woman who used to get perfumed (for her husband). (When her husband did so) she abandoned dye and kohl. One of the wives of The Messenger of Allah "peace be upon him" said to her: "Is your husband present or absent?" she said: "He is present, but 'Uthman (my husband) has no desire for women." She made a mention of that to The Messenger of Allah "peace be upon him" who met him and said: "Do you believe in the same in which we believe?" he answered in the affirmative, thereupon The Messenger of Allah "peace be upon him" said: "Then, do as we do." Then he recited: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}**

It is narrated by Sa'eed Ibn Mansur on the authority of Abu Malik that he said: This Holy Verse was revealed in connection with 'Uthman Ibn Maz'un and his companions, who forbade to them so many kinds of food and women, and some of them intended to cut off their male organs. On that occasion, Allah Almighty revealed: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}**

It is narrated on the authority of Qatadah "may Allah have mercy upon him" that he said: It was revealed in connection with a group of the Companions of The Messenger of Allah "peace be upon him" who liked to abandon the world, thereupon they kept aloof from women and athered to monasticism. They included 'Ali Ibn Abu Talib and 'Uthman Ibn Maz'un "Allah be pleased with them".

It is narrated by Ibn Al-Mubarak on the authority of 'Uthman Ibn Maz'un "Allah be pleased with him" that he came to The Messenger of Allah "peace be upon him" and said: "O Messenger of Allah! Give me permission to get myself castrated." The Messenger of Allah "peace be upon him" said: "He is Not from us (Muslims) who castrates others or gets himself castrated. Anyway, the (desired goal of) castration in our ummah is (achieved by) fasting." He further

(1) Al-Bukhari, Hadith no. 4339.

said: "O Messenger of Allah! Give me permission to travel through the land (for religious service)." The Messenger of Allah "peace be upon him" said: "Anyway, the (desired goal of) traveling through the land in our ummah is (achieved by) Jihad in the Cause of Allah." He said: "O Messenger of Allah! Give me permission to adhere to monasticism." The Messenger of Allah "peace be upon him" said: "Anyway, the (desired goal of) monasticism in our ummah is (achieved by) staying in the mosque awaiting the prayer."

It is narrated in an authentic Hadith that The Messenger of Allah "peace be upon him" rejected the celibacy of 'Uthman Ibn Maz'un; and had he given him leave to do it, he would have got himself castrated. ⁽¹⁾

All of this is intended to prohibit the things made lawful by Shari'ah, and cancel out what the lawgiver meant to operate, even though the one who does so seeks to follow the path of the hereafter. That is because to prohibit what is lawful is a kind of monasticism in Islam.

The Companions, the Tabi'is and those who came after them are of the opinion not to make unlawful what is lawful. If one forbids to himself a lawful thing but not by oath, there will be no expiation for it; and if he does so by oath, there should be expiation for it, after which the swearer would act upon what Allah Almighty has made lawful for him.

It is narrated by Isma'eel Al-Qadi on the authority of Ma'qil that he asked Ibn Mas'ud "Allah be pleased with him" saying: "I have taken oath not to lie on my bed for a year (what should I do?)" Ibn Mas'ud recited Allah's saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** Then he said: "Come near (the food) and eat; make expiation for your oath and then lie on your bed."

According to another narration, Ma'qil used to fast and pray so much. He took oath not to lie on his bed. Then, he went to Ibn Mas'ud "Allah be pleased with him" and asked him about that, thereupon he recited to him: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess...}**

It is narrated on the authority of Al-Mughirah that he said: I asked Ibrahim about the significance of Allah's saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you}**: "Does it indicate to the man who forbids to himself things made lawful by Allah Almighty for him?" he answered in the affirmative.

It is narrated on the authority of Masruq that he said: 'Abdullah (Ibn Mas'ud) "Allah be pleased with him" brought (the cooked meat of) an udder

(1) Al-Bukhari, Hadith no. 4786.

and said to the people: "Come close (and eat)." They started to eat and one of them said: "I have forbidden the (meat of the) udder to myself." On that Ibn Mas'ud said to him: "That is one of the steps of Satan." Then he recited: **{O you who believe! make not unlawful the good things which Allah has made lawful for you.}** He resumed: "Come near (the food) and eat, and make expiation for your oath."

That was the fatwa given in Islam: that is, if one forbade to himself anything made lawful for him by Allah Almighty, his prohibition would be of no significance: let him eat if the forbidden thing was food, drink if it was drink, wear if it was clothing, or possess if it was one of the possessions. It seems to be consensus reported from Malik, Abu Hanifah, Ash-Shafi'i, and others. But they differed about the wife. According to the opinion of Malik, the prohibition of one's wife is one of the three pronouncements of divorce, and anything else is void. The Qur'an confirms that it is transgression. If one forbids to himself to have sexual relation with his slave-girl thereby seeking manumission, and then he has sexual relation with her, it will be lawful. The same applies to all things of clothing, residence, keeping silence, sitting in the shade, sitting in the sun, etc.

We have previously mentioned the Hadith of the one who made vow to fast while standing in the sun and keeping silence. He thus forbade to himself sitting, protecting himself by the shade, and talking. For this reason, The Messenger of Allah "peace be upon him" commanded him to sit down, seek the shade to protect himself, and talk to the people. According to Malik: "He commanded him to complete that in which he was obedient to Allah, and leave that in which he was disobedient."

Consider how Malik described the abandonment of the lawful as disobedience. That is the significance of Allah's saying: **{But commit no excess; for Allah loves not those given to excess.}** A mention may also be made of the statement of Ibn Mas'ud "Allah be pleased with him" to the man who rejected to eat of the udder: "That is one of the steps of Satan."

Ibn Rushd, the grandson, rendered weak the attestation made by Malik with the Hadith, and also the interpretation given to it. He told that concerning Malik's statement "and leave that in which he was disobedient", it is not clear that the abstention from talking is disobedience, given that Allah Almighty told that it was the vow Mary was commanded to make.

He said: "It seems that standing in the sun is likely not disobedience, except in so far as it causes trouble to the body. In many cases, it is desirable for a pilgrim not to sit in the shade. If it is argued that it is disobedience, the reply is that the analogy is established on the forbiddance of trouble, rather than on a clear text. It, in principal, belongs to the permissible things."

The argument of Ibn Rushd seems not correct in this context. Malik "may

Allah have mercy upon him” did not make his argument by inference from his own. He seemed to have attested his claim with the Quranic Verse in issue, and construed within its context the Hadith of the abstention from speech; and although it was acted upon in the previous religions, it is abrogated by this Islamic Shari‘ah. It is to do a previously ordained deed with something not valid under this present Shari‘ah.

The same is true of standing in the sun, which is to make unlawful what is lawful, given that even if it is favorable in some cases, it is not necessarily so under all circumstances.

8.5. A Chapter On Many Related Questions

Many questions are related to making unlawful what is really lawful, of which a mention may be made of the following:

The first is that the prohibition of what is lawful includes many things:

One is the real prohibition, carried on by the disbelievers, like the Bahirah, Sa'ibah, Wasilah, Ham, etc⁽¹⁾, and all things which the disbelievers make unlawful depending upon their personal opinion, as mentioned by Allah. He says for instance: **{But say not - for any false thing that your tongues may put forth - "This is lawful, and this is forbidden," so as to ascribe false things to Allah. For those who ascribe false things to Allah, will never prosper.}** [An-Nahl 116] The same applies to such prohibitions as made in Islam, just depending upon the personal opinions.

two: what one leaves, not necessarily for a certain purpose in so much as because of having aversion for it, either by nature, or lack of experience about it, or incapability of getting it, or engagement in what is more confirmed, or so. A typical example is the Prophet's refraining from eating the flesh of mastigure. In this connection, The Messenger of Allah "peace be upon him" said: "Since it is not found in the land of my people, I do not like it." It is not called prohibition, since prohibition requires to seek to do it intentionally; and this is not so.⁽²⁾

Three: to refrain from the thing because of prohibiting it by a vow, or anything similar to vow, with which the excuse is ineffective. A typical example is to forbid to oneself to lie on the bed for a year, to eat the flesh of the udder, to save for the future, to eat the pleasant food or put on the soft clothing, to have sexual relation with and take pleasure in women in general, and the like of those things.

Four: to swear not to do a lawful thing, this may be called prohibition.

According to Isma'eel Al-Qadi: "If one says about his slave-girl: 'By Allah, I will not approach her', he then will have made her unlawful for him by that

(1) Bahirah was an animal whose milk was spared for the idols and other deities, and so nobody was allowed to milk it. Sa'ibah was an animal which the disbelievers used to set free in the names of their gods so that it would not be used for carrying anything. Wasilah was the she-camel which used to give birth to a she-camel as its first delivery, and then give birth to another she-camel as its second delivery. People (before Islam) used to set free such a she-camel for their idols if it gave birth to two she-camels successively without giving birth to a male camel in between. Ham was the male camel which was used for copulation. Having finished the number of copulations assigned to it, it would be set free for their idols and excused from burdens so as to carry nothing.

(2) In confirmation of that, The Messenger of Allah "peace be upon him" said on another occasion: "Although I do not eat mastigure, I, therefore, do not prohibit its eating."

oath. If he has sexual relation with her, the expiation for oath becomes due upon him.”

In attestation for that, he quoted the story of Ibn Muqarrin who came and asked Ibn Mas‘ud "Allah be pleased with him" saying: "I have taken oath not to lie on my bed for a year (what should I do?)" Ibn Mas‘ud recited Allah’s saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** Then he said: "Make expiation for your oath and then lie on your bed.”⁽¹⁾

He commanded him not to make unlawful what Allah Almighty has made lawful for him, and to make expiation for his oath.

This absolute description means that it is a kind of prohibition, and it is apparent. According to Isma‘eel, it was the habit that whenever a man took oath not to do a lawful thing, it was impermissible for him to do it once again until the expiation for the oath was revealed, to remove the previous prohibitions. It was called prohibition because of that expiation, and the expiation was given that name because it effaces it, and Allah knows best.

(1) Ibn Battal, Sharh Sahih Al-Bukhari, 11:157.

9.5. A Chapter On The Second Question

The second question pertains to the kinds of prohibition intended in that Quranic Verse in issue. As for the first, it is out of question here, since it is a part of legislation, like making things lawful; and the legislation is up only to the lawgiver and not anyone else, except if a religious innovator invents an independent opinion, whether he belongs to the pre-Islamic days or to the Islamic era: a question, beyond the like of which were the righteous predecessors, and the Companions of The Messenger of Allah “peace be upon him”.

The comment made by Al-Muhallab in his “Sharh Al-Bukhari” gives the impression that what is intended by the Quranic Verse in issue is the first meaning of prohibition. He said: “Prohibition is up only to Allah and His Messenger “peace be upon him”, and it is not up to anyone else to make unlawful (as well as to make lawful) anything whatsoever. Allah Almighty reproached such as does so by saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma'idah 87] He further said: **{But say not - "This is lawful, and this is forbidden," so as to ascribe false things to Allah. For those who ascribe false things to Allah, will never prosper.}** [An-Nahl 116] All of this is a proof for the fact that the prohibition made by the people themselves is of no significance.”

But the occasion on which the Holy Verse was revealed refutes the argument of Al-Muhallab. That is why the maker of prohibition does not make the command transitive to anyone other than Him, as is the case with the prohibition in the first meaning. No one else then has the right to make unlawful (or make lawful) anything whatsoever.

As for the prohibition in the second meaning, there is no blame in it, in general. The motives for which souls desire for or refrain from things could not be regulated by a particular law. One may abstain from the lawful, for something that afflicts him when using it. For instance, a lot of people abstain from drinking honey, for it causes abdominal troubles to them, thereupon they forbid it to themselves, not in the first or the third meaning, in so much as to save themselves from its harm, in the same way as one saves himself from anything painful.

Here, a mention may be made of the abstention of The Messenger of Allah “peace be upon him” from eating garlic, for he used to talk privately to the angels, for its foul smell hurt them. The same applies to any foul-smelling

food.⁽¹⁾ That opinion is more correct than the claim of some, that garlic and its likes were forbidden to him by the command of the lawgiver, although both are close in meaning.

The prohibition in the fourth meaning may be also included, thereby the statement of Allah Almighty: **{make not unlawful the good things which Allah has made lawful for you}** implies prohibition by vow and prohibition by oath, as attested by the mention of the expiation for it, in His saying: **{Allah will not call you to account for what is futile in your oaths, but He will call you to account for your deliberate oaths: for expiation, feed ten indigent persons, on a scale of the average for the food of your families; or clothe them; or give a slave his freedom.}** [Al-Ma'idah 89]

It has previously been mentioned that it was a mere prohibition before the expiation was revealed. Furthermore, in connection with Allah's saying: **{O Prophet! Why do you hold unlawful that which Allah has made lawful to you?}** [At-Tahrim 1] many commentators said that this prohibition was made by oath, i.e. when The Prophet "peace be upon him" took oath not to drink the honey⁽²⁾, as will be mentioned in detail later, Allah willing.

It may be argued, in connection with the man who came to The Messenger of Allah "peace be upon him" and said: "O Messenger of Allah! Whenever I ate meat, my sexual desire for women would be stimulated, thereupon I forbade it to myself"⁽³⁾, that this belongs to the second kind of prohibition, since one may forbid a thing to himself to safeguard it from its consequential harm. It has already been mentioned that it is not a real prohibition. Here, he did not intend to make vow by it in so much as to protect himself from the harm, in order not to put himself to difficulty. That was, and Allah knows best, the intent of the Companion "Allah be pleased with him".

In reply to this, let us say that if harm befalls anyone at the time of getting a particular thing, he then could abstain from it without making it unlawful for himself. It is not necessary for anyone Who abandons a thing to make it unlawful. Many are those who left a certain kind of food, or marriage because at that time, they had no desire for it, or due to other excuses; and once the excuse disappeared, they would then get it. The Messenger of Allah "peace be upon him" abstained from eating the flesh of the mastigure. But even, this abstention did not make it unlawful.

The evidence for the fact that what is intended is the apparent (real) prohibition, which is not valid, is that The Messenger of Allah "peace be upon him" replied to him quoting the Quranic Verse in issue. Were such excuses to

(1) Al-Bukhari, Hadith no. 855, 7359; Muslim, Hadith no. 564, 656.

(2) Al-Bukhari, Hadith no. 6691.

(3) At-Tirmithi, Hadith no. 3242 [see Tuhfat Al-Ahwathi, 8:329]; Al-Bukhari on the authority of Ibn Mas'ud, Hadith no. 4615, 5071, 5075.

make permissible the prohibition in the third meaning, there would have been details in the Quranic Verse for such as makes things unlawful for himself whether or not for excuses.

On the other hand, the desire for women is not condemned. The Messenger of Allah “peace be upon him” said: “Whoever among you could have the wherewithal for marriage (i.e. he is financially and physically capable), let him marry, because marriage will help him refrain from looking at other women, and save his private parts from committing illegal sexual relation; and whoever cannot afford to marry, let him observe fast, as fasting will diminish his sexual power.”⁽¹⁾

If one’s desire for women is stimulated, he should marry in order to fulfill his desire, and contribute in the required proliferation of the Muslims. It seems then that the one who forbids to himself the means by which the sexual desire is stimulated sought to imitate the monasticism, which is not valid in Islam, like the other things mentioned in the Quranic Holy Verse.

(1) Al-Bukhari, Hadith no. 1806, 4778, 4779; Muslim, Hadith no. 1080, 1400; Ibn Majah, Hadith no. 1845.

10.5. A Chapter On The Third Question

The third question lies in the fact that the significance of this Holy Verse in issue is abstruse when compared against Allah's saying: **{All food was lawful to the Children of Israel, except what Israel made unlawful for himself, before the Law (of Moses) was revealed. Say: "Bring you the Law and study it, if you be men of truth."}** [Al 'Imran 93]

In this Holy Verse, Allah Almighty told about one of His Prophets (i.e. Jacob) "peace be upon him" that he made unlawful for himself kinds of food which had been lawful. That is, without doubt, an evidence for the fact that the like of it is permissible.

In reply to this, let us say that there is no evidence for such a thing in the Holy Verse. What has previously been mentioned clarifies that there is no prohibition in Islam. What was valid under the law of others who were before us is void in our Shari'ah, as has been stipulated in the fundamentals.

It is narrated by Al-Qadi Isma'eel and others on the authority of Ibn 'Abbas "Allah be pleased with them" that Israel, the Prophet Jacob "peace be upon him" was stricken with sciatica, which made him almost sleepless during the night. When it was aggravated, he made it binding upon him to forbid the flesh of veins to himself if he was cured by Allah. That was before the revelation of the Torah. For this reason, the offspring of Jews never eat that. According to another narration, he made it due on himself not to eat the meat of camels. On that the Jews forbade it to themselves. ⁽¹⁾

It is narrated on the authority of Al-Kalbi that he said: Jacob, the Prophet "peace be upon him" said: "If Allah cures me, I will forbid to myself the most pleasant and the dearest of food and drink to me." (When he recovered) he forbade to himself the meat and milk of camels. ⁽²⁾

According to Al-Qadi, "We think, and Allah knows best, that when Israel "peace be upon him" made unlawful for himself (those kinds of food and drink) that were unlawful for him, he was not forbidden to do so. It was their habit that whenever they made unlawful for themselves anything which was lawful, it would be impermissible for them to get it once again, until the expiation for oath was revealed. Allah Almighty said: **{Allah has already ordained for you, (O men), the dissolution of your oaths (in some cases): and Allah is your Protector, and He is Full of Knowledge and Wisdom.}** [At-Tahrim 2]

If a swearer takes oath to leave something and does not say 'Allah willing',

(1) Tanwir Al-Miqbas Min Tafsir Ibn 'Abbas, p42.

(2) Tafsir As-Sun'ani, 1:126.

he then has the freedom to choose: to do it and make expiation for that if he so likes, or leave it in fulfillment of his oath if he so likes.” He added: “The new ordinances always abrogate the old ones. The abrogator here is Allah’s saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma'idah 87]

He added: “When such forbiddance was revealed, it became impermissible for man to say: ‘Such and such food is unlawful for me’, and the like of those things which are indeed lawful for him. If one says such a thing, his statement would be rendered void. If he takes oath by Allah to that, he then should do the better, and make expiation for his oath.”⁽¹⁾

(1) In confirmation of that, The Messenger of Allah “peace be upon him” said in the Hadith narrated on the authority of Abu Musa: “if ever I take an oath to do something, and later on I find that it is more beneficial to do something different, I will do the thing which is better, and give expiation for my oath.” [Al-Bukhari, Hadith no. 3133].

11.5. A Chapter On The Fourth Question

The fourth question is to say: About which does Allah Almighty ask in His saying: **{O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You seek to please your consorts but Allah is Oft-Forgiving, Most Merciful.}** [At-Tahrim 1]

Here, Allah Almighty tells that The Messenger of Allah “peace be upon him” made unlawful for himself what Allah made lawful for him. Evidence may be taken from Allah’s saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma'idah 87]

Of course, the rank of The Messenger of Allah “peace be upon him” is far beyond the like of this, from which he was principally forbidden. Then, Why did Allah ask him as such? That is a question, which needs reflection.

In reply to this, let us say that if this Holy Verse was earlier than that of the contracts, then, it addresses the whole ummah through The Messenger of Allah “peace be upon him”. That is the opinion of the fundamentalists, who attest their claim with Allah’s saying: **{O Prophet! When you do divorce women, divorce them at their prescribed periods.}** [At-Talaq 1] that is clear, on the basis of the fact that Surat At-Tahrim was earlier than Surat Al-Ahzab. For this reason, when The Messenger of Allah “peace be upon him” took oath to keep aloof from his wives for a month because of that story, the following Holy Verse of Surat Al-Ahzab was revealed to him: **{O Prophet! say to your Consorts: "If it be that you desire the life of this world, and its glitter, then come! I will provide for your enjoyment and set you free in a handsome manner.}** [Al-Ahzab 28]⁽¹⁾

Prohibition also may be construed to take oath not to do something; and if one takes oath not to do something, he has the freedom to choose to leave it (in fulfillment of his oath), or do it and make expiation (for dissolution of the oath), given that Allah Almighty revealed in this context: **{Allah has already ordained for you, (O men), the dissolution of your oaths (in some cases).}** [At-Tahrim 2] this indicates that it was an oath The Messenger of Allah “peace be upon him” took.

The people differed about that prohibition. Some say that it was specific to making unlawful for himself Mariyyah, the Coptic, the mother of his son Ibrahim, on the basis of the claim that this Holy Verse was revealed in connection with her. That is the opinion of Al-Hasan, Qatadah, Ash-Sha'bi, and Nafi', the freed slave of Ibn 'Umar "Allah be pleased with them".

(1) Al-Bukhari, Hadith no. 371, 1811, 2337, 4905, 4906; At-Tirmithi, Hadith no. 685.

According to others, it was specific to forbidding to himself the honey presented to him by Zainab (Bint Jahsh). That is the opinion of 'Ata' and 'Abdullah Ibn 'Utbah. It was also said that it was a prohibition by oath.

According to Isma'eel Ibn Ishaq: It may be that The Messenger of Allah "peace be upon him" forbade her (Mariyyah) to himself by the oath of Allah. If one says to his slave-girl: "By Allah, I will not approach you", he then has forbidden her to himself by oath. If he has sexual relation with her, then, the expiation for oath becomes binding upon him.

On the other hand, the occasion might also be the drinking of honey, according to the narration of Al-Bukhari through Hisham on the authority of Ibn Juraij, in which he "peace be upon him" said: "I drank honey in the house of Zainab Bint Jahsh, and I will not get it once again. So, tell no one about that."⁽¹⁾ Being so, there is no problem. There is no difference in ruling between the slave-girl and the honey, since to forbid one's slave-girl to himself stands in the same position as to forbid anything of the edibles.

But if the Holy Verse of contracts is supposed to be earlier than that of At-Tahrim, the question is open to two opinions, like the first assumption:

The first is that the prohibition in the Quranic Verse of Surat At-Tahrim means to take oath (not to do something).

The other is that the Quranic Verse of the contracts does not address The Messenger of Allah "peace be upon him" in particular, and that Allah's statement: **{O you who believe! make not unlawful the good things which Allah has made lawful for you}** does not pertain to that, according to the opinion of some fundamentalists. At that point, the case will have no problem, on the basis of the fact that the Quranic Verse has no implication; and Allah knows best.

(1) It is narrated on the authority of 'A'ishah "Allah be pleased with her" reported: The Messenger of Allah "peace be upon him" used to drink honey in the house of Zainab Bint Jahsh, and would stay there with her. So Hafsa and I agreed secretly that, if he comes to either of us, she will say to him: "It seems you have eaten Maghafir (a kind of bad-smelling resin), for I smell in you the smell of Maghafir." (We did so). He replied: "No, but I drank honey in the house of Zainab Bint Jahsh, and I shall never get it again. I have taken oath to that, so, tell none about it." [Al-Bukhari, Hadith no. 4912, 5267].

12.5. A Chapter On The Intention In Prohibition

Being so, whoever acts upon anything with that intention, his deed is invalid. That is because he: either acts not upon Shari'ah (of Islam), as shown in his failure to follow its evidences, or acts upon an abrogated law (Judaism or Christianity) given his knowledge of the abrogating law (Islam). To be sure, to act upon an abrogated law, with the knowledge of the abrogator, is indisputably false. Monasticism and abstention from women were valid under the previous laws, but are invalid in our Islamic law. We have previously related the statement of The Messenger of Allah "peace be upon him" in this respect: "I fast and break my fast, I do sleep and I also marry women. So he who does not follow my tradition in religion, is not from me (not one of my followers)." ⁽¹⁾ That (i.e. to turn away from his Sunnah) is indeed the significance of the religious innovation.

It may be argued that it has already been transmitted from Ibn Al-'Arabi that monasticism means to travel through the land, and live in seclusion in hermitages. That is, according to his words, recommended in our religion, esp. when the time becomes corrupt. Al-Ghazali explicated this matter in his talk about the etiquettes of seclusion, and the etiquettes of marriage ⁽²⁾. In sum, it is valid, under Shari'ah, if not recommended, particularly when one is befallen by calamities, and when marriage and mixing with the people incur adverse results upon the person, and lead him to gain the unlawful and commit the impermissible.

In confirmation of that, The Messenger of Allah "peace be upon him" said: "There will come a time when the best property of a man will be sheep which he will graze on the tops of mountains and the places where rain falls (i.e. pastures) escaping to protect his religion from afflictions." ⁽³⁾ Furthermore, Allah Almighty addressed His Prophet "peace be upon him" saying: **{But keep in remembrance the name of your Lord and devote yourself to Him with complete devotion.}** [Al-Muzzammil 8]

Tabattul, in this sense, (to devote oneself to Allah in worship) is, according to the definition given by Zaid Ibn Aslam, to reject the world (with all its material benefits). In other words, it is to get disconnected from all occupations other than Him Almighty. That is almost the same definition

(1) It is narrated by Al-Bukhari, Hadith no. 5063; 'Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

(2) Al-Ghazali, Ihya' 'Ulum Ad-Din, vol. 2 pp34-95.

(3) It is narrated on the authority of Abu Sa'eed Al-Khudri. See Sahih Al-Bukhari, Hadith no. 3300.

given by Al-Hasan.

It is also reported from the righteous predecessors that they devoted themselves wholeheartedly to the worship of Allah Almighty, rejected all worldly means and material benefits, left the cities for the desert, and took seclusion in the mountain tops and their likes. Some mountains of Sham were assigned by Allah Almighty to those of His allies who devote themselves to His worship. Then, what is the significance of that?

In reply to that, let us say that if monasticism is understood in the same meaning established in the previous laws, then, it is not admitted in our Shari'ah, due to its abrogative proofs mentioned above. There is no monasticism in this sense in Islam. The Messenger of Allah "peace be upon him" rejected celibacy, whatsoever, as has previously been mentioned.

If it is understood as the wholehearted devotion to the worship of Allah Almighty according to what He ordained, and compatible to the behavior of The Messenger of Allah "peace be upon him" in his devotion wholeheartedly to the worship of Allah, in implementation of Allah's saying to Him: **{But keep in remembrance the name of your Lord and devote yourself to Him with complete devotion}** [Al-Muzzammil 8] that is, indeed, the established way, the followed Sunnah, the right guidance and the straight path.

The words of Zaid Ibn Aslam and other scholars about Tabattul (wholehearted devotion to Allah) do not contradict that meaning. To abstain from the world, in their sight, is not to leave it entirely, nor to refrain from enjoying its pleasures and delights. It is rather not to engage with it from the Shari'ah-required duties one is obligated to do.

Make the conduct of the righteous predecessors a mirror for you to reflect the meaning of Tabattul, in imitation of The Messenger of Allah "peace be upon him". They gained their property from where it was permissible for them to do, and spent it where they were recommended to do, and did not attach their hearts to it. They always gave precedence to the command and forbiddance of Allah Almighty over their false fortunes, even though not on the expense of their valid shares. That is indeed the significance of moderation and just balance referred to earlier.

Then, they were recommended by the lawgiver to take property and families, thereupon they hastened to comply with that, and did not argue that this would occupy them from the worship they were commanded to do. That is because this argument gives the impression of heedlessness of the real concept of its obligation. The basic rule under Shari'ah is that anything required by it is a deed, therewith one worships Allah and draws near Him. That is clear in the mere acts of worship. All the habits could be acts of worship, if they are intended to comply with the command of Allah Almighty. But in the absence of that intent, they are not regarded acts of worship for which one receives reward, given their validity under Shari'ah.

The Companions "Allah be pleased with them" understood that meaning

as it should be. According to their understanding, the commands and forbiddances could not conflict each other. This applies to anyone having the same understanding as theirs. Tabattul in this sense is valid and authentic, and agrees with the Sunnah to be followed. The same is true of the words of Al-Hasan and others in interpretation of the Quranic Verse in issue, should they be construed as such: that is, follow the right guidance, and comply with the command of your Lord Almighty, Who knows well what benefits you, and regulates for you your affairs. It is within this context that He said after it: **{(He is) Lord of the East and the West: there is no god but He: take Him therefore for (your) Disposer of Affairs.}** [Al-Muzzammil 9] That is, entrust to Him all of your affairs, whether or not they are up to you. This includes not to do anything that may put yourself to difficulty, in terms of your soul and property.

Other scholars such as Mujahid and Ad-Dahhak, interpret Tabattul as sincerity. Qatadah said: “That is, be sincere to Him in your worship and invocation.” According to that interpretation, it has nothing to do with the question in issue.

Being so, if monasticism, which is to travel through the land, take hermitages, and live in the mountain tops and caves should be acted upon provided that they should neither prohibit for themselves what has been made lawful by Allah, as the monks did for themselves, nor make things too hard to put them to difficulty, it then will be valid. But in this case, it is called monasticism by way of allegory rather than reality. It differs from what is intended by Allah in His saying: **{but the Monasticism which they invented for themselves, We did not prescribe for them.}** [Al-Hadid 27]

But if they should abide by the same rigorist adopted by the monks, we do not admit it to be recommended or even permissible in our Shari’ah. It is rather impermissible, for it is to act upon a law other than that of Muhammad “peace be upon him”. It is then not included in the general context of the statement of The Messenger of Allah “peace be upon him”: “So he who does not follow my tradition in religion, is not from me (not one of my followers).”⁽¹⁾

What has been mentioned by Al-Ghazali and others, who give preference to seclusion over marriage in case mixing with the people should lead to adverse results, it stems from origins irrelevant in this context.

The deeds required by Shari’ah are open to two possibilities: the competent for religious assignments may or may not be able to act upon them, with safety, at the time of performing them, from falling in what is forbidden. If he is usually able to do a deed in a way that does not lead him to commit

(1) It is narrated by Al-Bukhari, Hadith no. 5063; ‘Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

what is unfavorable or unlawful, it becomes then incumbent upon him to do the deed as much as lies within his capacity. That is the conduct of the righteous predecessors before the afflictions. If he is unable to do it unless he falls in what is unfavorable or unlawful, then, whether or not the deed remains due on him needs further detail.

According to what appears from the speech of Abu Hamid “may Allah have mercy upon him”, the required deed may be recommended, but acting upon it would lead to what is forbidden, in which case, such recommended deed indisputably lapses from him. It is like the needy who is recommended to give in charity even though he has in his hand nothing but the property of others: it is impermissible for him to act upon recommendation in this case, since it would lead him to dispose of the property of another without his leave. He is like the one who loses what he gives in charity. Another example is the one who comes to visit a patient on the threshold of death, or to bury a dead, whose body may decay if left unburied any longer. Therefore, he gives precedence to offer a supererogatory prayer. A third example is a would-be married who has but unlawful property to afford for marriage.

The required deed may be obligatory, except that doing it would lead one to commit what is unfavorable. But that is not considered, since the obligatory in this case is more confirmed. But should doing it lead him to commit the forbidden, one would be put to conflict, in reality. However, neither the obligatory duties nor the unlawful things are on the same measure. So, balance is required. If the obligatory overweighs, the unlawful then would take the same ruling of what is pardonable, or avoidable, in case its evil could be avoided. If the unlawful overweighs, then, the obligatory would lapse, or at least become avoidable. If both scales are equal in the sight of the Mujtahid, then, the decision is up to the Mujtahid.

It is preferable, according to a group of scholars, to observe the unlawful, since elimination of evil takes precedence over realization of benefit.⁽¹⁾ If seclusion leads to safety, it will be preferable, esp. during the times of afflictions. No doubt, afflictions are not specific only to wars: they include those of property, majesty, and all the worldly gains. The criterion to be followed in it is what keeps off the obedience of Allah Almighty. The like of this takes place between the recommended and the unfavorable, or between two unfavorable deeds.

If seclusion leads to abandonment of gatherings and assemblies, and cooperation in the acts of worship and their likes, it may not be safe except under a particular consideration. Balance should be made between the commanded and the forbidden deeds in this respect. Similarly, if marriage leads to committing sins, whereas leaving it does not cause one to commit a sin,

(1) For further information about this issue, see *Al-Qawa'id An-Nuraniyyah Al-Fiqhiyyah*, Ibn Taimiyah.

then, leaving it will be preferable.

An example for it, no matter how problematic it might seem, is taken from what is narrated on the authority of Al-Walid Ibn Muslim from Habib Ibn Maslamah that he said to Ma'n Ibn Thawr: "Do you know why the Christian monks took the hermitages?" Ma'n said: "Why?" he said: "When the kings made religious innovations, violated the commands of the Prophets, and ate the flesh of swine, they (the monks) isolated themselves from them in their hermitages and left them with their innovations, and rather devoted themselves to worship." Then Habib asked Ma'n: "Do you like to do so?" he said: "It is not time for that."⁽¹⁾

This means that what was done by the Christians is valid under our Shari'ah. The point is to isolate oneself from the people when they become famous for religious innovations and inclinations, according to what is valid in our religion, not to the same monasticism practiced by the Christians, which, anyway, was abrogated in our religion.

That is the context within which we should construe the words of Abu Hamid and those from whom he transmitted his opinion and supported his argument with their claims. It is attested by the fact that a group of those who recommended seclusion were married, and their marriage did not prevent them from changing their state, on the basis of balance in investigation of what harm they would receive because of marriage.

In sum, the focal point of this chapter is that acting upon the same monasticism rejected by the Quranic Verse in issue is a real, rather than an additional religious innovation, for it was rejected by The Messenger of Allah "peace be upon him" root and branch.

(1) Mukhtasar Tarikh Dimashq, 1:3374.

13.5. A Chapter On Removing Difficulty In Religion

It is proven then, from the previous chapters, that there is no difficulty in religion. This fact is well-established more in jurisprudence. So, let us build on it, saying:

Some righteous predecessors, and those who devoted themselves wholeheartedly to Allah Almighty, recognized for their alliance to Allah, stuck to rigorist in worship, and obliged others also to do so, even if it was to put themselves to difficulty, while following the path of the hereafter. They regarded the one who did not stick to that negligent, driven out and deprived (of Allah's mercy). They seemed to have understood this from some absolute rulings in Shari'ah. Their adherence to rigorist, made them go beyond the Sunnah to the real and additional religious innovations.

A competent for religious assignments may have two ways in following the path to the hereafter: one easy and the other hard, and both are equal in achieving the desired goal. If he is extremely strict, he then takes on the hard way, the like of which puts the competent for religious assignments to difficulty, and leaves the easy, on the basis of his rigoristic approach.

His example is like the one who likes to perform ablution, and has two kinds of water: cold and warm, hereupon he seeks the cold using which puts him to difficulty. This man, by so doing, does not give the soul the right required by the lawgiver from him, and violates the evidence for removing difficulty. The lawgiver never renders valid his conduct, as confirmed by His saying: **{nor kill (or destroy) yourselves: for verily Allah has been to you Most Merciful!}** [An-Nisa' 29]

He has no proof to support his argument from the statement of The Messenger of Allah "peace be upon him": "Wouldn't I guide you to that, with which Allah obliterates the sins and raises the ranks (of people)?" they said: "Yes, O Messenger of Allah". He said: "It is to perform ablution perfectly, no matter harmful it might be, to increase paces (i.e. to go so much) to the mosque, and to wait the coming prayer after offering the current one; and that is the attainment of the desired goal."⁽¹⁾

He may argue that to perform ablution perfectly, whatever difficulties one might endure for the sake of that, is a cause of effacing sins and raising in degrees. It has a proof for the fact that one may seek to attain the reward, regardless of the difficulty.

In reply to that, let us say that it has no proof to support that claim. To

(1) It is narrated on the authority of Abu Hurairah. Sahih Muslim, Hadith no. 41[251]; Al-Mu'jam Al-kabir, Hadith no. 20060; Majma' Az-Zawa'id, Hadith no. 1214.

perform ablution perfectly and endure difficulty for that purpose brings about extra reward. One may like to perform ablution in the winter and find only cold water, and there is no way to heat it: then, the coldness of water should not prevent him from performing ablution perfectly. But the Hadith does not encourage that one should intentionally seek to put himself to difficulty. Furthermore, the evidences previously mentioned indicate that difficulty, whatsoever, should be removed from the servants. If the Hadith is assumed to have such evidence, then, the proofs of removal of difficulty would then oppose it. Those are indications with full certainty, whereas the solitary story is always established only with a measure of uncertainty; and what is established with full certainty is given precedence over what is established with a measure of uncertainty. The same meaning of the Hadith is presented in the statement of Allah Almighty: **{nothing could they suffer or do, but was reckoned to their credit as a deed of righteousness, - whether they suffered thirst, or fatigue, or hunger, in the Cause of Allah, or trod paths to raise the ire of the Unbelievers, or received any injury whatever from an enemy - for Allah suffers not the reward to be lost of those who do good.}** [At-Tawbah 120]

Another example is to be satisfied, from among all kinds of food, only with the coarsest and the roughest, for nothing other than rigorist. It is similar to the previous example, and violates the statement of The Messenger of Allah “peace be upon him”: “No doubt, your soul has a right on you.” The Messenger of Allah “peace be upon him” used to eat the pleasant kinds of food once he found that, like the sweet and honey, was fond of the forearm’s (cooked) flesh, and always sought the fresh water to drink. Then, where is the rigorist in this conduct?

The use of what is permissible is not included under the connotation of the statement of Allah Almighty: **“You received your good things in the life of the world, and you took your pleasure out of them: but today shall you be recompensed with a Penalty of humiliation.”** [Al-Ahqaf 20] what is intended by it is the extravagancy which goes beyond the limits of the permissible. To be satisfied only with the roughest of food for no legal excuse is exaggerated pedantry. We have already discussed in detail the statement of Allah’s saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma’idah 87]

A further example is also to restrict oneself to the roughest of clothes, for no necessity. That is indeed rigorist and exaggerated pedantry, which is condemned by Shari’ah, thereby one intends to gain fame and reputation.

It is narrated on the authority of Ar-Rabie’ Ibn Ziyad Al-Harithi that he said to ‘Ali Ibn Abu Talib “Allah be pleased with him”: “Would that you help me against my brother ‘Asim!” ‘Ali asked him: “What is wrong with him?” he said: “He has put on the coarse (woolen) garment”, in reference to his

monasticism. 'Ali "Allah be pleased with him" said to him: "Then, bring him to me."

He was brought, having covered the lower part of his body with a garment, and the upper part with another, and left his head and beard unkempt. He frowned in his face and said to him: "Woe to you! Have you not felt shy of your wife? Have you not been merciful to your children? Do you see that Allah Almighty made good things permissible for you, and He dislikes that you should get anything thereof? You are more insignificant in the Sight of Allah than that. Have you not heard Allah's saying: **{It is He Who has spread out the earth for (His) creatures: Therein is fruit and date palms, producing spathes (enclosing dates); Also corn, with (its) leaves and stalk for fodder, and sweet-smelling plants...Out of them come Pearls and Coral.}** [Ar-Rahman 10-22] do you see that Allah Almighty made all of those things permissible for His servants but to use them and give thanks to Him for that? Of a surety, to use the favors of Allah Almighty in deed is better for you than to do in words." 'Asim asked him: "Then, what about your coarse food and clothing?" on that he said to him: "Woe to you! Verily, Allah Almighty enjoined upon the Imams of truth to estimate themselves according to the weakest of the people."⁽¹⁾

Consider how Allah Almighty did not ask His servants to abandon the pleasures: but He rather asked them to give thanks to Him once they get them. Whoever seeks to abstain from what is made permissible by the lawgiver, for no necessity under Shari'ah is indeed to do something without the permission of the lawgiver, and exceed the limits of abstention observed by some early men from some things like this. They indeed abstained from those for legal excuses considered valid under Shari'ah, such as to abstain from spending extensively in view of poverty, or because the thing to be taken may be a means to what is unfavorable or forbidden, or is suspicious, whose point of suspicion is perceived only by the abstinent. The states could not oppose the proofs for they may be possible in themselves.

Another example is to be satisfied, from deeds and states, with the opposite of what the souls love, and force them to do so in everything, without exception. That is rigorist. Do you not see that the lawgiver made permissible some things which the soul fulfills its desire with, takes pleasure in, and enjoys of? Had opposition to the soul been out of righteousness, it would have been validated, and the people would have been recommended to leave those things, which would turn to be impermissible, and it would have been recommended to abandon them, and unfavorable to do them.

Furthermore, Allah Almighty placed in the things to be taken, under obligation or recommendation, some pleasures to motivate one to get them. He also prepared expected rewards for the compliance with orders and

(1) Buhuth Nadwat Athar Al-Qur'an Al-Karim, p256.

avoidance of forbiddances, as well as punishment for the abandonment of commands and commitment of forbiddances. All of this is intended to stimulate the competent for religious assignments to do and leave what should be done and left.

He placed in the obligations themselves several kinds of transitory pleasures, and lights which expand the breasts, for these who comply with them wholeheartedly, to which nothing in this world is equal. He made them a means to give the impression of pleasure of the worship, flee from this world to it, and prefer it to anything else. With those things, the deed becomes too easy upon the doer that he comes to endure of it what he was not able to do before except with great forbidden difficulty, and with its lapse, the forbiddance lapses.

Consider also how He placed in the different kinds of food and drink various tastes and flavors, and made the legal sexual intercourse a means to beget children; and although it is more difficult on the soul, it is of higher pleasure than food and drink.

Others are like this, external to the doer, such as bestowal of honor on earth, elevation in rank, and precedence over others in the important affairs. They indeed have pleasures, incomparable to those of the world.

Being so, then, where is this high station from Allah Almighty, the Subtle, and the Most Knowing? Whoever comes to worship Allah, as he claims, with something in opposition to what is ordained by the lawgiver, in regard with kindness and easiness, and all means that lead to His love, thereupon he takes on the more difficult and troublesome, making it the mount that raises him, and the private way to Allah: does all of this indicate but to the utmost degree of ignorance and loss in error? May Allah Almighty save us from that, by His bounty.

If you hear a tale that refers to such rigorist, or reveals exaggerated pedantry or ostentation, its hero would be: either like the righteous predecessors, or others, who do not know, and are rather insignificant in the sight of the men in power, from among the religious scholars.

If he belongs to the first class, he then should be different from what appears from him to the unmindful, as has previously been mentioned.

If he belongs to the other class, then, no proof should be taken from him. The proof should be taken only from those who imitate The Messenger of Allah “peace be upon him”.

Those are five (examples) for rigorist adopted by the followers of the path to the hereafter, on which others could be measured.

14.5. A Chapter On Shari'ah-Validated Fundamentals Of Some Religious Innovations

A deed may have a foundation, validated by Shari'ah. But it turns into a religious innovation for fear of its being a means that leads to unfavorable results. It is different from what we have discussed earlier.

A deed may be recommended in itself, and if one acts upon it in private, there will be no harm in that. The same is true also in case he does it regularly, in private rather than in public; and even if he does it in public, he should not intend to do that regularly, and if he happens to do it in public, he should not make it like the supererogatory prayers whose performance is regular (before/after the obligatory prayers), or the compulsory obligatory duties. This is valid, and no problem lies in it.

The foundation of that goes back to the fact that The Messenger of Allah "peace be upon him" recommended the people to conceal the supererogatory deeds, and do them in houses. He said: "The best of your prayers is that to be performed in your houses, save the prescribed obligatory ones."⁽¹⁾ What should be performed publicly then is only the prescribed obligatory prayers, and all others should be performed in houses rather than in mosques, even if it is in his mosque "peace be upon him", the Sacred Mosque, or the Farthest Mosque. They said that the supererogatory prayer to be performed in the house is superior to that to be performed in anyone of those three mosques, as required by the apparent context of the Hadith.

But some prayers should be performed publicly, like the 'Eed prayer, the eclipse prayer, the Istisqa' prayer; and anyone other than those should be performed in secret. From this point of view, the righteous predecessors endeavored to conceal the deeds as much as they could, in imitation of the Hadith, and emulation of the conduct of The Messenger of Allah "peace be upon him", since he is the pattern and the model to be followed.

No supererogatory prayer is proven to be established in congregation in mosques, when it is performed in houses, except in the month of Ramadan, as has already been mentioned, nor to be established regularly even in houses. However, it took place during the time of the first generation, like the standing in prayer of Ibn 'Abbas "Allah be pleased with them" along with The Messenger of Allah "peace be upon him" when he spent the night in the house

(1) An-Nasa'I, As-Sunan Al-Kubra, Hadith no. 1293; Sunan At-Tirmithi, Hadith no. 449; Al-Muwatta', Hadith no. 292; Jami' Al-USul, 7157; Mukhtasar Qiyam Al-Lail, p52; Al-Mu'tasar Min Al-Mukhtasar, p22.

of Maimunah "Allah be pleased with her", his paternal aunt.⁽¹⁾ A mention may also be made of the statement of The Messenger of Allah "peace be upon him" to some of his Companions: "Stand up (and align) so that I would lead you in prayer."⁽²⁾ It is also narrated in Al-Muwatta' that Yarfah, the servant of 'Umar Ibn Al-Khattab "Allah be pleased with him" performed prayer at forenoon with him in his house.⁽³⁾ There is no blame if one does it in his house. The scholars stated that it is permissible only on that condition mentioned above (that is, not to be performed regularly in congregation in the houses).

But if one obliges himself to perform the supererogatory prayers regularly or at certain times, and in congregation in the mosques where the obligatory prayers are established, or where the supererogatory prayers to be performed regularly (before/after the obligatory prayer) are offered, that will be innovation in religion. The evidence is that nothing like this was transmitted from The Messenger of Allah "peace be upon him" nor from his Companions "Allah be pleased with them" nor from those who followed them with good conduct, except without those restrictions. To put a restriction on the absolute matters whose restriction is not proven by an evidence in Shari'ah relies only on a personal independent opinion. Then, how it be if it is opposed by evidence, like, for instance, to conceal the supererogatory deeds?

The pretext of innovation here is based on the fact that every supererogatory deed done regularly and congregationally in public by The Messenger of Allah "peace be upon him" is an item of Sunnah which should be acted upon. But to act upon a supererogatory deed which is not an item of Sunnah is to take on it improperly and differently from what is intended in Shari'ah. Furthermore, to deal with it as such makes the laymen believe that it is an item of Sunnah. That is indeed a great corruption of belief. To believe that something is an item of Sunnah, and act upon it as if it were an item of Sunnah, given that it is not so, is to distort Shari'ah. If one believes that a deed is obligatory, and it is not so, and another is not obligatory, given that it is obligatory, and so on, and then act upon that belief, that will be invalid. Although the deed is supposed to be, in principal, correct, to take on it improperly, in belief and act is to invalidate the Shari'ah rulings.

For this reason, some righteous predecessors had legal excuse to leave some supererogatory deeds intentionally, lest the ignorant or the layman would believe they are the obligatory. For the same reason, the majority of them forbade following the traces.

In this connection, It is narrated by At-Tahawi, Ibn Waddah and others

(1) Al-Bukhari, Hadith no. 183.

(2) It is narrated on the authority of Anas. See Al-Bukhari, Hadith no. 380; Sunan Abu Dawud, Hadith no. 612; Musnad Ahmad, 3:164; Al-Muwatta', 1:168; 'Abd-Ar-Razzaq in Al-Musannaf, Hadith no. 3877.

(3) Al-Muwatta', 177.

on the authority of Suwaid Ibn Ma'rur Al-Azdi⁽¹⁾ that he said: I attended the season (of Hajj) with 'Umar Ibn Al-Khattab, the Commander of Believers "Allah be pleased with him", and when he returned to Medina, I also returned with him. He led us in the Morning prayer, in which he recited both Surahs of Al-Fil and Quraish. He saw some people going to a certain place, and when he asked about them, he was told: "They are going to a mosque here, where The Messenger of Allah "peace be upon him" performed prayer." On that he said: "Those who were before you were destroyed by that behavior. That is, to follow the traces of their Prophets, and took them as churches and synagogues. Anyway, if anyone of you is caught by prayer in any of those mosques where The Messenger of Allah "peace be upon him" prayed, let him pray; otherwise, he should not aim at them intentionally."⁽²⁾

Ibn Waddah said: I heard 'Isa Ibn Yunus⁽³⁾, the Mufti of Tarsus city, having said: "'Umar Ibn Al-Khattab "Allah be pleased with him" commanded that the tree underneath which The Messenger of Allah "peace be upon him" was given the pledge of allegiance (on death during the year of Hudaibiyah) should be cut off; and it was cut off accordingly, for the people used to go and pray under it intentionally, thereupon he felt afraid they would be put to trial because of that."⁽⁴⁾

Ibn Waddah further said: "Malik Ibn Anas and other scholars of Medina disliked to go intentionally to those mosques and the traces of The Messenger of Allah "peace be upon him" save the mosque of Quba'. He added: I heard them saying that Sufyan entered the mosque of Bait Al-Maqdis and prayed there, given that he did not follow nor pray in those traces. Others did the same, I mean those whose conduct is a model for imitation. Waki' came to the mosque of Bait Al-Maqdis and did not criticize the behavior of Sufyan.

Ibn Waddah said: Then, it is due on you to follow the well-known Imams of guidance. An early man said: "How many a deed which is approved of in those days by a lot of people, although it was disapproved of by those who had gone away."

Malik disliked every religious innovation, even if it was in good.

All of this is a means to avoid taking as an act of Sunnah what is not so, or as valid, under Shari'ah, what is disapproved of.

Malik disliked to come intentionally to the mosque of Bait Al-Maqdis, lest this behavior would be taken as an item of Sunnah. He also disliked to go to the graves of martyrs, and the mosque of Quba' for fear of that too, given the traditions that were reported in exhortation to visit it. But when the scholars feared the evil consequence of that, they abandoned it.

(1) Siyar A'lam An-Nubala', 4:174; Tahthib At-Tahthib, 10:230.

(2) Al-Mu'tasar Min Al-Mukhtasar, 2:39.

(3) Siyar A'lam An-Nubala', 8:489; Tahthib At-Tahthib, 8:237.

(4) Kitab Al-Bida', Ibn Waddah, 1:108, Hadith no. 100.

According to both Ibn Kinanah and Ashhab, We heard Malik having said (relating from others), "when Sa'd Ibn Abu Waqqas "Allah be pleased with him" came to us, he said: "Would that my legs got broken and I did not do!"⁽¹⁾

Ibn Kinanah was asked about the traces left in Medina, and he said: "The most proven one in our sight is the mosque of Quba', although Malik disliked to come to it, lest this would be taken as an item of Sunnah."

Sa'eed Ibn Hassan said: I was reciting Hadiths in front of Nafi', and when I came upon the Hadith of spending extensively on the night of 'Ashura', he asked me to remove it. I asked him about the reason, and he said: "Lest the people would take that as an item of Sunnah."

They disliked to do then such deeds, regardless of being permissible and recommended, for fear of leading to a religious innovation, that is, to be taken as items of Sunnah, by doing them regularly and publicly, and if they are taken as items of Sunnah, they would turn into religious innovations.

It may be argued: How do those belong to the additional religious innovations, although what seems apparent is that they are of the real religious innovations? In other words, if those things are acted upon with the belief of being items of Sunnah, they would be real religious innovations, since they were not set by the Sunnah founder, The Messenger of Allah "peace be upon him", in this way. It is like to perform Zhuhr prayer with the belief that it is a non-obligatory worship: in which case, it is, without doubt, a religious innovation, given that Zhuhr prayer, in principal, is ordained, in which there is no a religious innovation.

In reply to that, let us say that the question is correct. But two points should be made about setting the deed.

The first pertains to its being validated, and that is unquestionable.

The other pertains to its becoming as if it were a reason for belief in the religious innovation, or for acting upon it in a way different from the Sunnah. From this perspective, it is not validated, since putting the reasons is up to the lawgiver rather than the competent for religious assignments. The lawgiver did not make prayer in the mosque of Quba' or Bait Al-Maqdis as a means to be taken as an item of Sunnah. The competent for religious assignments puts such a reason depending on his personal opinion, which has no support from Shari'ah. from this point, that is innovation. That is why it is considered an additional religious innovation.

But whereas the reason is well-established, and its effect becomes apparent, i.e. the belief that it is an item of Sunnah, or acting upon it improperly, it turns into a real rather than additional religious innovation. There are many examples like this we have discussed earlier, and it is irrelevant to repeat them.

(1) He said so lest the people would take his conduct an item of Sunnah.

If it is established that the validated matters could turn into additional religious innovations, then, what do you think about the real religious innovations? They could be real and additional together, but from two perspectives. For example, the religious innovation of saying in the Athan to the Morning prayer “Morning has come, all perfect praise be to Allah” is apparent. When it was acted upon in the mosques and among the communities, regularly and permanently like the obligatory duties, it was, at first, a legislation which required a belief of its being obligatory or, at least, out of Sunnah; and that is a second additional innovation. Then, since it was believed once again to be obligatory or out of Sunnah, it then became a religious innovation from three perspectives. That is the case with every religious innovation to be done publicly and regularly. But if it is hidden, and limited to its perpetrator, the sin would then be easier.

Alas for the Muslims! What does a religious innovator incur upon himself, which he expects not! May Allah Almighty save us from the evil of ourselves, by His bounty!

15.5. A Chapter To Complete The Discussion Of The Previous Issue

An incident took place: the Imam of a mosque abandoned what the people used to do regularly in Andalusia, concerning the congregational supplication of the praying people behind the Imam every obligatory prayer, and it is familiar to the people in most countries: that is, whenever the Imam ended the prayer with Taslim, he would sit to supplicate, and the people would say Amen after him.

The Imam who abandoned that behavior pretended that he did so on the basis of the fact that this was not the conduct of The Messenger of Allah “peace be upon him”, nor of the authorized Imams, as reported from the righteous predecessors by the scholars in their compositions.

That this was not the conduct of The Messenger of Allah “peace be upon him”, is apparent. The Messenger of Allah “peace be upon him” used to do one of two things following the obligatory and supererogatory prayers: to remember Allah Almighty, but not in the form of supplication, in which the group had no share, except to say the like of his saying, or similar to it.

The Messenger of Allah “peace be upon him” used to say every obligatory prayer: “There is no god but Allah, Alone, with whom there is no Partner. To Him be the dominion, and to Him be the praise; and He has power over all things. O Allah! Nobody can hold back what you gave, nobody can give what you held back, and no fortune can benefit (anyone, whatever lucky he might be) without you.”⁽¹⁾

He “peace be upon him” also used to say: “O Allah! You are (the source of) perfection and peace, and from You peace is expected: Blessed be You, Lord of Majesty and honor.”⁽²⁾

He “peace be upon him” used to say too: “Exalted be your Lord, the Lord of Honor from what they ascribe (to Him)!”⁽³⁾

He used to say those almost in secret like the other Athkar; and if anyone wanted to say the like of his saying, it would be good. But there was no congregation.

But in case of supplication, the greater part of supplication following the prayers, heard and reported from him was specific to himself and not the

(1) Sahih Al-Bukhari, Hadith no. 808, 1407, 5971, 5108, 6241, 6862; Sahih Muslim, Hadith no. 593; Sunan Abu Dawud, Hadith no. 1505.

(2) Sahih Muslim, Hadith no. 592; At-Tirmithi, Hadith no. 298; Abu Dawud, Hadith no. 1512; An-Nasa’i, Hadith no. 1339 Ibn Majah, Hadith no. 924.

(3) Sahih Al-Bukhari, Hadith no. 6948.

attendants by intention.

A mention may be made of the narration of At-Tirmithi on the authority of ‘Ali Ibn Abu Talib "Allah be pleased with him" in which The Messenger of Allah "peace be upon him" used to supplicate following the prayer as follows: "O Allah! Forgive for me what I have done earlier and what I would do later, what I have done in secret and what I have done in public: You are my God, and there is no one worthy of worship except You." [At-Tirmithi describes it as Hasan Sahih ⁽¹⁾]

According to the narration of Abu Dawud, the Messenger of Allah "peace be upon him" used to say: "O Allah! Forgive for me whatever (sins and mistakes) I've done earlier and later, secretly and publicly, and that in which I've indulged, and that of which You have better knowledge than me: It is You Who bring forward, and it is You Who bring backward: there is no god (to be worshipped) but You."⁽²⁾

It is narrated by Abu Dawud that the Messenger of Allah "peace be upon him" used to say after every obligatory prayer (by way of supplication): "O Allah, our Lord and the Lord of everything: I'm witness that You are the One Lord, and there is no partner with You; O Allah, our Lord and the Lord of everything: I'm witness that Muhammad is Your servant and Messenger; O Allah, our Lord and the Lord of everything: I'm witness that all of the servants are brothers (in Allah's religion); O Allah, our Lord and the Lord of everything: make me and my family sincere to you (in faith) at every moment in the world and the hereafter, O (Allah) the Lord of Glory, Bounty and Honour; (O Allah) listen to me and answer my invocation; Allah is Greater and Greater: Allah is the Light (and the Lord) of both the heavens and the earth; Allah is Greater and Greater: sufficient for me is Allah and He is the best Disposer of affairs; Allah is Greater and Greater."⁽³⁾

It is further narrated by Abu Dawud that The Messenger of Allah "peace be upon him" used to say (by way of supplication): "O Allah! Help me, and do not help (anyone) against me; support me, and do not support (anyone) against me; make Your plans in my favour, and do not make Your plans against me; guide me (to the truth) and make guidance easy for me; help me against such as transgresses me. O Allah! Make me thankful to You, (enable me) to remember You, living in awe of Your (Punishment), obedient to You, devout (in worship) to You, ever turning to You (in repentance). O Allah! Accept my repentance, wash my sins off me, answer my invocation, make firm my argument, guide my heart (to the truth), help me speak right, and remove the fury of my heart."⁽⁴⁾

(1) Sunan At-Tirmithi, Hadith no, 3478, 3481, 3482, 3483.

(2) It is narrated on the authority of ‘Ali Ibn Abu Talib. See Sunan Abu Dawud, Hadith no. 1509; Sunan At-Tirmithi, Hadith no. 3419.

(3) It is narrated on the authority of Zaid Ibn Arqam. See Sunan Abu Dawud, Hadith no. 1508.

(4) It is narrated on the authority of Ibn ‘Abbas. See Sunan Abu Dawud, Hadith no. 1510; =

It is narrated by An-Nasa'i that The Messenger of Allah "peace be upon him" used to say, whenever he finished from offering the Morning prayer: "O Allah! Forgive for me! I ask You (to provide me with) advantageous knowledge, an accepted deed, and good (and lawful) sustenance."⁽¹⁾

It is narrated on the authority of one from among the Ansar that he said: I heard The Messenger of Allah "peace be upon him" saying after the prayer: "O Allah! Forgive for me, and accept my repentance, for You are the Oft-Repenting, the Forgiving." According to another narration, it was the Duha prayer.⁽²⁾

The contexts of those supplications indicate that he intends himself. Then, is it reasonable that his behavior be taken as a proof for the conduct of the people in those days? It may be argued that on many occasions, he "peace be upon him" supplicated for the people as shown in his sermon in which he invoked Allah for rain, and the like of it. If it is so, then, what is the point of doing that regularly in public following every prayer?

On the other hand, the scholars are of the opinion that the supplication to be performed after every prayer is favorable rather than obligatory or an act of Sunnah. This indicates to two points:

One is that the Messenger of Allah "peace be upon him" did not stick to those supplications regularly.

The other is that he "peace be upon him" did neither perform regularly in public, nor disclose them to the people except on the instructive occasions. Had he done so regularly in public, and disclosed them to the people persistently, then, it would have become a part of Sunnah, and the scholars would not have sought to give their opinions about it differently, since it is characteristic of the Sunnah to be disclosed regularly in public among the gatherings and assemblies. It should not be said here that had his supplication been secretly, it would not have been taken from him. That is because anything one does in secret should, inevitably, appear from him, either by usage, or for the purpose of alerting the people to legislation.

Therefore, it may be argued that it seems from the contexts of the Hadiths that he "peace be upon him" did so regularly, as the narrators said: He "peace be upon him" used to do so and so.

In reply to that, let us say that it is not right so. As well as the form 'he used to do' indicates to regularity, it also means to do things so much or more often. A typical example for this is the narration on the authority of 'A'ishah "Allah be pleased with her" in which she said: "Whenever he "peace be upon him" liked to sleep while in the state of Janabah, he used to perform ablution

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Sunan At-Tirmithi, Hadith no. 3546; Sunan Ibn Majah, Hadith no. 3830.

(1) As-Sunan Al-Kubra, An-Nasa'I, 4:444; Musannaf Ibn Abu Shaybah, 7:39.

(2) As-Sunan Al-Kubra, An-Nasa'I, Hadith no. 9930; Musnad Ahmad, Hadith no. 5564; Majma' Az-Zawa'id, Hadith no. 19966; Musannaf Abu Shaybah, 7:39.

like his ablution he would perform for the prayer.”⁽¹⁾

It is narrated on the same authority that she said: “He “peace be upon him” (sometimes) slept while in the state of Janabah, without touching water (i.e. without performing ablution.”⁽²⁾

In many Hadiths, the form ‘he used to do’ is said about things which he did only once, as stated by the Hadith scholars. Had he done all those things regularly, they would then have been joined with the acts of Sunnah, like Witr and others; and if even that is right so, then, where is the congregation in that practice?

In sum, the supplication in congregation regularly was neither the conduct, nor the word, nor was it authorized by The Messenger of Allah “peace be upon him”.

It is narrated by Al-Bukhari on the authority of Umm Salamah "Allah be pleased with her" that “The Messenger of Allah “peace be upon him” used to wait a little after ending the prayer with Taslim” until the people would turn away, as we see (according to the words of Ibn Shihab).⁽³⁾

It is narrated by Muslim on the authority of ‘A’ishah "Allah be pleased with her" that whenever he ended the prayer with Taslim, he would sit only as short as enough for him to say: “O Allah! You are (the source of) peace and perfection, and from You peace is expected: Blessed be You, the Lord of majesty, bounty and honor.”⁽⁴⁾

As for the conduct of the Imams after The Messenger of Allah “peace be upon him”: it is narrated by jurists even though not in the books of authentic Hadiths, on the authority of Anas "Allah be pleased with him" that he said: “I prayed behind The Messenger of Allah “peace be upon him” and whenever he finished from the prayer, he would stand (and leave the mosque). I also prayed behind Abu Bakr "Allah be pleased with him" and whenever he finished from the prayer, he would jump (to leave) as if he was sitting on a heated rock.”

It is narrated by Yunus As-Siqilli from Ibn Wahb on the authority of Kharijah that he criticized the Imams who used to sit after ending the prayer with Taslim, and said in this context: “The Imams (of the right guidance) used to stand (and leave the mosque) once they ended the prayer with Taslim.” According to Ibn ‘Umar "Allah be pleased with them" “His (the Imam’s) sitting (after finishing from the prayer) is a religious innovation.” It is narrated on the authority of Ibn Mas‘ud "Allah be pleased with him" that he said: “It is

(1) Sahih Muslim, Hadith no. 725; Musnad Ahmad, Hadith no. 25614; Sunan An-Nasa’i, Hadith no. 257, 260; Sunan Abu Dawud, Hadith no. 222; Sunan Al-Baihaqi, Hadith no. 1002, 1003, 1013, 1018; Sharh As-Sunnah, 1:73.

(2) Sunan Abu Dawud, Hadith no. 228; Sharh As-Sunnah, Al-Baghawi, 1:73; Subul As-Salam, Hadith no. 107.

(3) Sahih Al-Bukhari, Hadith no. 812.

(4) Sahih Muslim, Hadith no. 136:592.

better for him (the Imam) to sit on a heated rock than that (i.e. to stay in the mosque after finishing from the prayer).”

According to Malik in his *Mudawwanah*, “If he (the Imam) ends the prayer with *Taslim*, let him stand (and leave) immediately, and not sit unless he is on journey, or in the courtyard of his house.”

The jurists regard the Imam’s standing and leaving once he ends the prayer with *Taslim* one of the prayer’s good merits, since his sitting after it may make him behave somewhat arrogantly towards the gathering, and his taking a place different from them may cause these who enter the mosque after the prayer to distinguish him as the Imam from the attendants, given the necessity for that during the prayer.

According to one of our Shaykhs from whom we got benefit: “If this so happens only by taking his place different from them, then, what it be, given his being ahead of them while leading them in supplication, and they are saying *Amen* in public behind him? ... had it been good, of a surety, it would have been done by The Messenger of Allah “peace be upon him” and his Companions “Allah be pleased with them”. But nothing like this is reported by the narrators, notwithstanding their unanimous endeavor to transmit all his affairs, including even the direction rightwards or leftwards which he used to take whenever he turned away from the prayer.”

Ibn Battal transmitted from the scholars their disapproval of and stressing on that; and his speech in this respect is sufficient.

That is the argument of the Shaykh, i.e. to sit regularly in congregational supplication after the prayer is an odious religious innovation. He attested his argument with the claim that this was not the conduct of the Imams of the early generation, who used to hasten to stand and leave the mosque just after the prayer, rather than to sit and lead the people in supplication, who say *Amen* after them. This case differs from *Thikr* and individual supplication, which allows for the Imam to stand and go to fulfill his jobs.

This argument reached one of the famous Shaykhs of that time, who gave his reply to it, in which he disagreed from the method of these firm and well-established in knowledge, and attested with things, which, if reflected deeply, would prove invalid, like the command to supplicate Allah after the prayer, given in the Qur’an and the Sunnah, in which, however, there is no proof, as has previously been mentioned. He also claimed that congregational supplication is permissible, except after the obligatory prayers, in which, there is no proof too.

In detail, he pretended that this conduct is still practiced all over, or at least in the most parts of the land, in the mosques where the congregational prayer is established; and that it is not disapproved of by any except Abu ‘Abdullah, whom he condemned so much severely.

That is indeed irresponsible, since it is a transmission of consensus, in connection with which one should investigate, before using it in attestation and

relies on its authority. It requires one to transmit the consensus of all Mujtahids in this respect, from the time of the Companions "Allah be pleased with them" to that time. It is taken for granted that the consensus of the laymen, even if they claim imamate, does not count.

That this conduct is not disapproved of exceeds the reality. It is disapproved of by many until now. At-Tartushi transmitted from Malik that he disapproved of it, and At-Tartushi himself disapproved of it at his own time, and each had his followers and supporters who also disapproved of it. Al-Qarafi regarded it one of the unfavorable religious innovations, according to the juristic school of Malik, and his contemporaries admitted that from him, to the best of our knowledge, given his claim that there are good religious innovations.

This religious innovation was also disapproved of by the Shaykhs who were in Andalusia when it entered, as will be mentioned, Allah willing. They indeed disapproved of it, believing this disapproval to be Malik's opinion. The ascetic Shaykh, Abu 'Abdullah Ibn Mujahid, and his disciple, Abu 'Imran Al-Mirtilli, persisted in their disapproval of it.

In reply to the fans of this behavior who argue: We have witnessed this behavior being conducted by the righteous Imams and jurisprudents, who follow the Sunnah, and safeguard the affairs of their religion, whether leading or being led in the prayer; and no one has abandoned that but him who assumed abnormal conduct; one of our Shaykhs said: The attestation that some people still do that is of no significance. It is proven that the men whom the people should imitate did not do so. Since the people now have come to do the religious innovations and violations unanimously, the ignorant then would say: "Had this deed been disapproved of, the people would not have done it."

Then, he related the tradition narrated by Malik in Al-Muwatta': "I have now come to approve of nothing I had seen the people (of the previous generation) doing except the call to prayer."⁽¹⁾ He said commenting on that: If this, during the time of the Tabi'is, claims that the innovations and changes invented in religion multiplied, then, what do you think it to be in our time? Were this consensus to be proven, it would lead to proscription, since it disagrees with what was transmitted from the early generation, as not to do it. In this way, it is a (wrong) consensus which abrogates another (valid) consensus, and that is impossible in the fundamentals of jurisprudence.

By no means would the opposition of the later to the earlier generations about the Sunnah be an argument against it. That is similar to the narration of Abu 'Ali Ibn Shathan⁽²⁾ on the authority of Abu 'Abdullah Ibn Ishaq Al-Ja'fari that he said: "Abdullah Ibn Al-Hasan (Ibn 'Ali Ibn Abu Talib) used to sit with Rabie'ah. They discussed a matter one day, thereupon a man in the gathering

(1) Al-Muwatta', Hadith no. 968.

(2) Siyar A'lam An-Nubala', 17:415; Shatharat Ath-Thahab, 3:228.

said: “That is not the conduct of the people in those days.” ‘Abdullah said: “No doubt, when the ignorant increase so much that they themselves decide its matters, would they establish an argument against the Sunnah?” on that Rabie’ah said: “I witness that this is the speech of the sons of the Prophets.” But let me say, in comment on that: If the imitators increase so much that they invent changes in the religion with their opinions and pass judgments depending upon them, would they establish the argument against the Sunnah?

This famous Shaykh went on supporting his claim with the proverbial phrase: “Share with the people their mistake, and do not do the right alone.” That is, their congregational mistake is right, whereas your right alone is mistake. Furthermore, the Messenger of Allah “peace be upon him” said: “I advise you to stick to the group (of Muslims), since the wolf eats only a solitary sheep that stays far from the flock.”⁽¹⁾ That is, the one who abandons the supplication in the manner mentioned above like the one who disagrees with the group (of Muslims) as you see.

He also urged the people to follow the group, and avoid dissention, due to the statement of The Messenger of Allah “peace be upon him”: “Do not disagree from each other, lest your hearts would dissent.”⁽²⁾

All of this is based on the consensus, as they mentioned, which means, in their sight, that the group refers to the community of people, whatsoever. We will mention later, Allah willing, that the intended group in the Hadith of the religious sects is that which follows the Sunnah, even though it consists of only one man in the whole world.

According to a Hanbali scholar of Fiqh, “Give no care to the occurring questions claimed to be authentic, only by amplification, or under claim that there is no dispute in the matter, or that no one has supported the opinion that it is not authentic, to the best of his knowledge.” In the like of those affairs, grand Imam Ahmad Ibn Hanbal said: “Whoever claims consensus in the like of this has indeed told a lie. That is the claim of Kathir and Ibn ‘Ali, thereby intending to invalidate the acts of Sunnah.”

Ahmad means that if you debate the religious innovators and men of inclinations who speak in Sunnah, and attest your argument with Hadiths or traditions, they would claim that this disagrees with the consensus. That is because they transmit only from some jurisprudents of Medina or Kufah, for instance, and claim consensus, depending only on their lacking knowledge of the statements of the scholars, and daring to refute the acts of Sunnah with their opinions. Whenever the authentic Hadiths in support of some rulings and judgments are related to anyone of them, he would have no way out except to claim that no one among the scholars has adopted it. That is because he lacks sufficient knowledge, which enables him to learn that so many others than

(1) Sunan Abu Dawud, Hadith no. 547; Sunan An-Nasa’I, Hadith no. 848; Riyad As-Salihin, Hadith no. 1070.

(2) Sahih Muslim, Hadith no. 432; Sunan At-Tirmithi, 228; Sunan Abu Dawud, Hadith no. 664; Sunan Ibn Majah, Hadith no. 976.

those scholars upon whom he depends, have adopted it, even among the Companions, the Tabi'is and their followers.

This guides us to the question in issue. That is, no one should transmit a Shari'ah ruling from any scholar without investigation and verification of its authenticity. That is because he tells about the ruling of Allah. So, beware of indulgence, since it leads one to deviate from the clear path to follow the misdeeds and mistakes.

He further regarded as one of the evils resulting from disagreement with the public to charge them of ignorance and misguidance. Were it to be admitted, it is not an evil, as long as this dissenter follows the Sunnah. It is related from the righteous predecessors their exhortation to act upon the truth, and not to feel lonely by the scarcity of its followers.

For example, if one accuses a religious innovator of invention in the religion, who takes from the assembly of people gathering for supplication in the afternoon on the day of 'Arafah evidence for gathering in congregational supplication on days other than 'Arafah, his accusation will be right, and it will not include him among those addressed with the Hadith of The Messenger of Allah "peace be upon him": "Whoever says that the people have been ruined is himself the most ruined among them."⁽¹⁾ That is because he says so out of grief for the state of the people, rather than by way of arrogance and showing contempt for them.

He also regarded one of those evils the fear of his corrupt intention, due to expected vanity, and fame which is forbidden. He seems to say, 'I will not follow the Sunnah at the time of alienation, for fear of expected fame and vanity'; and that is indeed grievous, if not refutable. It is true that holding himself to lead the people in supplication after each prayer regularly leads to corrupting his intention, by whatever vanity and fame he may entertain. That is the justification given by Al-Qarafi, which is preferable on the way of following. Thus, that he refrains from leading the people in supplication is to imitate the Sunnah, unlike the one leading supplication, who deviates from the way of the righteous predecessors, which brings him closer to the corrupt intention.

He considered also one of those evils to assume the same claim of the religious innovators that the supplication is of no advantage. That is similar to the previous one. He seems to say, 'Do not follow The Messenger of Allah "peace be upon him" by refraining from supplication in congregation after each prayer regularly, lest you would be thought of as religious innovators'. That is not right, as you see.

Ibn Al-'Arabi said: Our Shaykh, Abu Bakr Al-Fihri, used to raise his hands regularly on bowing and on raising his head from bowing, according to the opinion of Malik and Shafi'i. but it is also the conduct of Shiites. One day,

(1) Sahih Muslim, Hadith no. 139:2623.

he came to our mosque, for Zhuhr prayer. He entered the mosque and moved forward until he took his position in the first row, while I was in the last row, sitting on a bench near the sea, enjoying the breezes of wind to alleviate the scorching heat. There was also with me Abu Thamnah, the naval leader, along with some of his companions, waiting the prayer and looking at the ships in the sea.

When the Shaykh raised his hands in prayer on bowing and on rising from it, Abu Thamnah and his companions said: "Do you not see how this Easterner entered our mosque? Let us stand and kill him and throw him in the sea, and no one will see you." I was extremely scared and said: "Exalted be Allah! That is At-Tartushi, the most learnt scholar and jurisprudent of his time." They asked: "Then, why is he raising his hands?" I said: "That is the conduct of The Messenger of Allah "peace be upon him". It is also the opinion of Malik, according to the narration of the Medinians from him." I pacified them until he finished from his prayer.

Then, I stood with him to the residence. Noticed the change of the color of my face, he disapproved of that and asked me about the reason, and when I told him, he laughed and said: "How could I be killed while following an act of Sunnah?" I said to him: "Is it lawful for you? If you establish it, these people would attack you, and probably kill you." He said to me: "Leave this and let us talk in another topic."

This story is satisfactory. No evil in this world is equal to that of causing the acts of Sunnah to die (by abandonment of it). Although those people (of Andalusia) ascribed him to religious innovation, At-Tartushi "may Allah have mercy upon him" gave no importance to that. His speech is closer to imitation (of the Sunnah) than our Shaykh whose reply we are discussing; and how far are they from each other in knowledge!

Being so, then, it should be taken into consideration all those who rejected the gathering for congregational supplication on days other than the Day of 'Arafah, such as Nafi', the freed slave of Ibn 'Umar "Allah be pleased with them", Malik, Al-Laith, and other predecessors. But since this is not necessary, our question in issue is also not so binding.

Then, he concluded his attestation by saying: The Imams of Islam, in almost all the mosques where the congregational prayer is established, in those days, and in all regions, gathered with the people for congregational supplication after the prayer. That is indeed similar to a collective proof.

If he intends to gather regularly for congregational supplication after the prayer, and not to be abandoned, like the other acts of Sunnah to be done regularly – and this is our question in issue - we have already mentioned what this contains (of innovation).

16.5. A Chapter On Another Approach Of Attestation

The Shaykh had another approach of attestation for the authenticity of his argument: that is, the supplication in the manner mentioned above is not forbidden by Shari‘ah, given that it is encouraged in general, and acted upon by others. It is true that the righteous predecessors did not act upon it, but abandonment does not produce any ruling on the abandoned deed, except that it is permissible to leave it, in which there is no difficulty, i.e. the abandonment of it is neither prohibited nor unfavorable.

However, this which he claimed is too abstruse to understand in the rules of science, esp. those which pertain to the acts of worship; and that is our topic in issue. It is not up to anyone created by Allah Almighty to invent anything in Shari‘ah depending upon his own opinion, for which there is no proof in it: that is indeed the religious innovation. The case in issue is the same: there is no proof, in Shari‘ah, to gather regularly in congregational supplication after each established prayer, in a way that whoever does not do so is rendered outside the group of Muslims. In sum, anything for which there is no proof is a religious innovation.

Being so, the claim of this Shaykh gives the false impression that following the later who are imitators is better than following the righteous predecessors (who are worthy of imitation). If there are two permissible things, one of which is certain and the other uncertain, then, how should one leave the certain in which there is no doubt for the uncertain?

His saying that abandonment of anything does not produce any ruling on the abandoned except that it is permissible to leave it, is not consistent with the well-established fundamentals of Shari‘ah. There is a foundation for this question. Let us make a mention of it, perchance Allah Almighty would make it of benefit to those who are just to themselves.

That the lawgiver makes no mention of the ruling of a particular case, or leaves it undecided is of two kinds:

The first is to make no mention of it, or leave it because there is no dire necessity for it, or for anything for which it should be decided, or the relevance for which it should be stipulated did not occur. It is like the incidents that took place after the death of The Messenger of Allah “peace be upon him”: no mention was made of them because they did not exist. But since they took place later, there was a need to be considered and enforced in accordance with the clear universals of the Shari‘ah, with which the religion has been completed and perfected.

To this kind go back all the cases considered by the righteous predecessors, which were not enacted by The Messenger of Allah “peace be

upon him”, like the surety of makers, the inheritance of the grandfather along with the brothers, the completion of the obligatory shares of inheritance, writing down the Mus'haf and then the ordinances and laws, to the end of those things, which he “peace be upon him” during his lifetime did not need to decide in detail, being satisfied with presenting their universal principles, from which the details were deduced. Since the reasons for judging according to them did not take place during his lifetime, then, there was no need to stipulate particular rulings on them.

Once the reasons take place, then, the cases included under that kind should be considered, and enforced in accordance with its fundamental principles, be they of the habits or the acts of worship in which it is insufficient to be satisfied only with what was heard, like forgetfulness while doing the acts of worship. There is no problem in this kind, since the fundamentals of Shari'ah are many, and the reasons for judgments did not occur during the time of the Divine revelation. So, to make no mention of them does not produce a ruling on the permissibility of their abandonment. If a certain incident takes place, it should be compared against its fundamentals, and the ruling on it would inevitably be found. But only a real Mujtahid, possessing the same attributes given in the science of fundamentals of Fiqh, would be able to find it.

The other kind is that the lawgiver makes no mention of a certain ruling, or a particular case, given that its reason has been established, and occasion existed even since the time of the Divine revelation and later. But nothing in it took place more or less than the general ruling to be enforced in similar cases. As the reason which makes legal a particular ruling existed, and no reference was made to any possible change in it, whether by addition or omission, it then was understood clearly that any change made in what has been established is an additional religious innovation, and a violation of the purpose of the lawgiver. His purpose is to stop just at the limit He put, not to add to nor to reduce from it.

A typical example is reported from Malik Ibn Anas in the hearsay of Ashhab and Nafi'. According to his opinion, the prostration of gratitude is unfavorable, and even not validated by Shari'ah. He based his speech on this claim as mentioned: Malik was asked about a man who receives something he likes, thereupon he falls in prostration out of gratitude to Allah Almighty for that. He said: “Let not him do it. That had gone away.” It was said to him: “They mention that on the day of (the battle of) Yamamah, Abu Bakr As-Siddik “Allah be pleased with him” fell in prostration out of gratitude for Allah Almighty. Have you heard about that?” he said: “I have not heard about that; and I think they have attributed a lie to Abu Bakr “Allah be pleased with him”.

It is misleading that one should hear something and then say that you have not heard it from him. No doubt, Allah Almighty bestowed His revelation upon The Messenger of Allah “peace be upon him”, and the

Muslims received it from him. Have you heard that anyone of them did the like of this? What the people used to do and it has been enforced at their hands, anything, and whatsoever, should inevitably be heard about it. So, you should stick to that principle, because had it been done, a mention of it would have been made, as being the conduct of the people. Have you heard that anyone of them fell in prostration like this? That is consensus. If you receive something of which you have no knowledge, then, leave it.”

The point is to raise the following question about the religious innovation: it is to say that it is a deed of which the lawgiver made no mention about the ruling pertinent to it, in terms of doing or leaving. Then, the basic rule is that it is permissible to do it, as well as to leave it too. That is the concept of the permissible. If it has a foundation, in general, then, it is, more likely, permissible to do, until a proof is established in support of prevention or unfavorableness.

Being so, there is no violation of the lawgiver's purpose. There is no evidence in opposition to this perspective. What we have, in fact, is only a thing of which no mention is made by the lawgiver, and that no mention is made by the lawgiver of a thing does not require us to agree with or disagree from it, as long as no opposing or differing purpose is designated by the lawgiver. Given so, to act upon it is not a violation, since no forbiddance of it in Shari'ah is proven.

The reply to that question is implied in the statement of Malik mentioned above. That is, to make no mention of the ruling on doing or leaving a deed, is a consensus on the fact that there should be no change in it, be it by addition or reduction. Had it been fit or acceptable under Shari'ah, they would have done it, because they were the most entitled to perceive it, and have the precedence to act upon it.

As far as the benefit is concerned, inventing this change may or may not be of benefit. The latter is not accepted by anyone. In regard with the former, the occurring benefit may or may not be more confirmed than that which was during the time of obligation. By no means could the invented change, which implies an increase in, or decrease from the obligation on the competent for religious assignments, be specific to the later times, because of the shortage of activities and overwhelming laziness, as well as it also disagrees from the religion with which The Messenger of Allah “peace be upon him” was sent, i.e. the true tolerant religion, which removes difficulty from the people, concerning the obligations of worship rather than habits, for the matter of habits and customs is quite different.

Then, the benefit in the later times may be equal to or less than it was during the time of legislation. But this means that the changes invented in the religion came to mend the lawgiver's legislative shortcomings, which the earlier had missed. That is quite invalid, since it requires that the religion was neither complete nor perfect: Allah forbid!

It seems apparent that if the earlier generation abandoned anything of which they made no mention in regard with its ruling, given its being probable under the general evidences, it then should not be acted upon, as there was consensus among them that it should be abandoned.

According to the interpretation given by Ibn Rushd of the prostration out of gratitude, He (Malik) means that it was not ordained in the religion, neither as obligatory nor supererogatory. The Messenger of Allah “peace be upon him” was not commanded to do it, and the predecessors did not develop consensus on doing it. The laws could not be proven but by one of those ways. The evidence for the fact that The Messenger of Allah “peace be upon him” did not do it, and so did the Muslims after him, is that had it been acted upon, it would have been transmitted from them through an authentic chain of narrators. It is impossible that there should be consensus on avoiding the transmission of any religious law, given that he “peace be upon him” was commanded to convey the message entirely.

That is, as he resumes, one of religious fundamentals on the basis of which Zakah, for instance, is cancelled out from the vegetables and grains, although it is due. That is because The Messenger of Allah “peace be upon him” said: “As far as (the obligatory charity due upon) plants is concerned, one-tenth what is watered by rivers or rainfall should be given, and one-twentieth what is watered by irrigation should be given.”⁽¹⁾ As we regard the fact that it is not transmitted from The Messenger of Allah “peace be upon him” that he took it, as an item of standing Sunnah that there is no Zakah due on it, we also should render the fact that it is not transmitted from The Messenger of Allah “peace be upon him” that he performed the prostration out of gratitude, an item of standing Sunnah that there is no prostration out of gratitude.

Then, he related the opinion that disagrees with Ash-Shafi‘i in this issue. The point is to explain Malik’s construal of it as being a religious innovation, although there should be no doubt at all that it is so.

Some of scholars followed that method to make unlawful the marriage of the Muhallil, as a disapproved religious innovation. During his time “peace be upon him”, in spite of the contextual reason for a concession to the husband and his (irrevocably divorced) wife to make lawful their remarriage, by her marrying (and then being divorced from) another one, this was not ordained, given the eagerness of Rifa‘ah’s wife to return to him, which indicated that it is

(1) It is narrated on the authority of ‘Ali. [See Sunan Abu Dawud, Hadith no. 1572] but the following narration is more detailed: It is narrated on the authority of both Ibn ‘Umar and Jabir Ibn ‘Abdullah that the Prophet said: “Out of whatever (plants) are watered with the help of the sky (i.e. the rainfall), the rivers or springs, or that which fixes its roots in the ground, and gets water from under the land (such as date-palms which are cultivated near wells, springs, streams etc), one-tenth (should be given as obligatory charity); and out of whatever (plants) are watered with the help of the she-camels used for agricultural purposes, one-twentieth (should be given).”.

not valid under Shari'ah: neither for her nor for anyone else.

That is a correct fundamental principle, and if it is taken into consideration, our question in issue would become clear. If the adherence to congregational public supplication after each prayer in the mosques where the congregational prayer is established is valid or even permissible under Shari'ah, of a surety, The Messenger of Allah "peace be upon him" would have been the most entitled to do it.

But the fan of this form of supplication justified his claim on the basis of its being validated, in the sense that since nothing was reported in opposition of it, then, the basic rule requires that everything of which no mention is made is permissible.

That the basic rule requires permissibility is illegal, since a lot of scholars are of the opinion that, as far as worship is concerned, all things were prevented rather than permissible before the ordinance. What is the proof for permissibility as he claimed? If even permissibility is admitted to him, then, is it absolute or restricted? As far as the habits and customs are concerned, it is admitted. But our question in issue belongs to the acts of worship rather than to habits and customs. It is impossible to say about any act of worship that it is open to two differing opinions: whether it is prevented or permissible. That is something extra beyond the prevention. The stipulation of the acts of worship is up only to the lawgiver. It is not said, for instance, that there is a sixth prayer which is permissible, according to one of both opinions, in a way that allows the competent for religious assignments to stipulate it therewith to worship Allah Almighty. That is absolutely invalid. It is the basis on which every religious innovator builds his religious innovation to mend the shortcomings of the lawgiver.

If it is admitted to be among the habits and customs, it is also invalid to act upon it. That The Messenger of Allah "peace be upon him" did not act upon it in all of his affairs, and so did the righteous predecessors after him along their times requires, as we have discussed earlier, that it should be abandoned, and this abandonment is established on consensus of those who abandoned it. The act that is based on consensus is like the word of consensus, as referred to by Malik in his speech.

His justification then is not correct. He gave many points, including:

The first is that supplication in this manner is intended to demonstrate that it is validated by Shari'ah, and it is required to be performed regularly as such after each prayer. However, what he says necessitates it to be an item of Sunnah, in view of regularity and congregational performance in the mosques and among assemblies. Of course he agrees with us that it is not an item of Sunnah, which nullifies the validation under Shari'ah.

Furthermore, had it been validated by Shari'ah, it would have been preferable to show this in that very manner during the era of The Messenger of Allah "peace be upon him". That he "peace be upon him" did not do it,

indicates to his abandonment of it, although its contextual reason was available. So, this manner should be abandoned after his time.

The second is that the Imam gathers the people on supplication, perchance his supplication would be closer to receive answer. This reason was also available during the era of The Messenger of Allah “peace be upon him”, for no one among all the people has his supplication receive answer faster than him. His supplication always received answer indisputably. Anyone else, whatever esteemed he might be in religion, could not attain his rank. So, he was more entitled to add to their supplication for themselves his supplication for them five times every day and night (i.e. once after each obligatory prayer).

No assembly on supplication to be held after is time would be more effective than that led by the chief of Messengers and master of mankind “peace be upon him”, and the Companions “Allah be pleased with them”, who were worthier of that good merit.

The third is instructive purpose. That is, to instruct the people in supplication, perchance they would learn from him what they could supplicate with for themselves, lest they would use words impermissible under Shari’ah and reason. This justification also is of no significance. It is a well-known fact that The Messenger of Allah “peace be upon him” was the first tutor, from whom we received the words and meanings of supplications. Some Arabs were ignorant of divinity.

For example, one of them used to say in supplication: “Lord of servants! What do we have to do with You! Send down the rain, lest you would be bereaved of your father!”

Another used to say: “O god! If you are the same whom I have known, and nothing has changed you after me.”

The Sayers of those words lacked knowledge, and were closer to the pre-Islamic days of ignorance (Jahilya). They held the idols in the same position of the One Lord, Exalted be He, and did not deem Him far beyond imperfection, as fit for His Majesty. But even, no congregational supplication was ordained for them after each obligatory prayer thereby he “peace be upon him” would teach them, or help them learn whenever they prayed behind him. He taught the people only in the assemblies of teaching, and supplicated for himself after the prayer whenever it seemed to him to do. He gave no attention at that time to the congregation, although he was the most entitled to do so.

The fourth is that the gathering on supplication is cooperation in righteousness and piety, and this is enjoined. But even, that gathering is weak. It is The Messenger of Allah “peace be upon him” upon whom Allah revealed: **{And co-operate in righteousness and piety}** [Al-Ma’idah 3], and he responded accordingly. Had the congregational public supplication to be performed after the prayer been a part of cooperation in righteousness and piety, of course, the Prophet “peace be upon him” would have been the first to do it. But he “peace be upon him” did not do it, nor those who came after him

until it was innovated. It then indicates that it has nothing to do with righteousness and piety.

The fifth is that the majority of people have no deep knowledge of the Arabic, and they may commit linguistic mistakes, with which the supplication would receive no response. A poetic, rather than jurisprudence-dependent, tale is related from Al-Asma'i in this respect. In sum, that gathering is closer to playfulness than to seriousness. At the least, no one among the scholars put condition not to commit linguistic mistakes as they do concerning sincerity, true intention and abandonment of begging importunately. Learning Arabic to repair the linguistic mistakes of the wording of supplication, and the Imam has better knowledge of that, is as necessary as all religious needs. If supplication is favorable, recitation of the Qur'an is obligatory, and so is the religious comprehension of the prayer. If teaching supplication after the prayer is required, then, the religious comprehension of the prayer is more confirmed. Thus, it was more incumbent upon that Imam to give priority to it (over teaching supplication) after the prayer.

It may be argued that it is obligatory. But even, this rule removes its root. The righteous predecessors were more entitled to precede to attain its superiority, in view of all the benefits and advantages ascribed to it. That is the significance of Malik's statement: "Do you see the people in those days more desirous of good than those who had gone?" he refers to the principle above mentioned: that is, the contextual reason for the desire for good was more perfect among the righteous predecessors. But that they did not do it indicates that it should not be done.

As for what is mentioned concerning the etiquettes of supplication, it is irrelevant after the prayer. Although The Messenger of Allah "peace be upon him" knew all of those, he taught the people nothing thereof after the prayer, nor did he leave them untutored to learn that from him at the end of the prayer, or to dispense with learning that by his supplication. The attendants could hardly learn anything of significance from the Imam in this way; and even if there is any, it is only these near rather than those far from him who get benefit.

17.5. A Chapter On Attestation By Analogy

The fan of public supplication went on attesting his claim by analogy. He said: "It is true that the righteous predecessors did not act upon it. But, at the same time, they acted upon good things which had not been acted upon before them. According to 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him", "New judgments take place as much as the people commit immorality, and they also gain new desires for good as much as they stick to lassitude."⁽¹⁾

But even, this attestation does not correspond to the fundamentals:

First: it opposes the text, as referred to by Malik in the question of gratitude prostration; thereby it belongs to the invalid consideration.⁽²⁾

Second: it is an analogy based on an unproven text; unlike our issue.

Third: the statement of 'Umar Ibn 'Abd-Al-'Aziz is based on personal independent reasoning in one of the branches (other than the fundamentals), said by a Mujtahid who is apt to be right or mistaken. In order to be fundamental, it should come from The Messenger of Allah "peace be upon him", or from the men of consensus; and that does not belong to either of them.

Fourth: it is not a comprehensive analogy, or say, comprehensive but irregular. But this will be discussed in more detail later, Allah willing, in our talk about the difference between the religious innovations and the public interests in the matters not specifically addressed by Islamic texts.

His saying that the righteous predecessors acted upon many things which had not been acted upon before them: Allah forbid that they be addressed with that statement!

That those things are good, it is well-established that all what the righteous predecessors acted upon is good. As for the analogized issue, that it is good is only a claim, for the thing proves good or evil only by Shari'ah; or because the supplication in this very manner is good, under Shari'ah.

The analogy based on the statement that 'new cases take place which require new judgments', is invalid, as we have already learnt. Another point should be made in that, i.e. that the invention of new acts of worship is permissible, analogous to the statement of 'Umar. If analogy on it is admitted, it should be known that 'Umar's statement came in connection with matters related to habits and customs, the contexts of established judgment on which differ, like the surety of makers, the assumption and not only the claims in construal of oaths, etc. he says that the judgments which governed the early

(1) Al-Ma'arif, 362; At-Taqrīb, vol. 2 59-60; At-Tathkirah, vol. 1 118.

(2) See Kashf Ath-Thunūn, vol. 2 1124; Shatharat Ath-Thahab, vol. 2 129.

generation depended on their good religiousness, honesty, virtue, to the end of those good merits. But when the opposite of those good attributes occurred, the contexts differed, which required difference in judgments, I mean those judgments which deter the men of falsehood from their falsehood.

The significance of this is apparent and suitable, and different from, if not opposed to our topic in issue. Do you not see that if the people become too weary to perform the obligatory, not to mention the supererogatory deeds, regardless of being easy and few in number, then, what would it be if other things are laid upon them, to which they are exhorted to do, and urged to use? No doubt, the duties would multiply until they go beyond the capacity of the former laziness, which leads to leaving all things. If this happens to the religious innovator or the perpetrator of a religious innovation, he would, inevitably, weary to do the preferable duties.

It is known that the one who spends the night standing in prayer, which is invented in the religion, on the middle night of Sha‘ban will become too sleepy or at least too weary to perform the Morning prayer perfectly. The same is true of all other invented things. The extra invented acts then will return with nullification or, at least, failing upon the preferable acts of worship. We have already mentioned that no religious innovation is made but that its match of Sunnah, which is better than it, dies instead.

Furthermore, this analogy disagrees with a Shari‘ah fundamental principle: that is, the command given by The Messenger of Allah “peace be upon him” to make things easy in worship, stick to kindness and leniency, and not to make things hard upon the people.⁽¹⁾ Of a surety, to add a new duty not ordained to the items of Sunnah, and act upon it regularly makes things hard upon the people. If the argument of this fan is taken for granted, then, every religious innovator from among the laymen would find the way easy for his religious innovation, taking from this argument a proof for the authenticity of his invention, whatsoever.

Concerning the dispute over The Permissibility Of Supplication After The Prayer, this fan attested that the supplication, in general, is permissible after the prayer, and transmitted from Malik and others some statements in support of this claim, and it is irrelevant to relate them here. He extended the evidences over the very manner mentioned above in which the supplication is performed.

He commented: “The Hadiths, traditions, work of people and words of scholars supported this claim...it is well-known that The Messenger of Allah “peace be upon him” acted as the Imam of those prayers, and did not favor himself with those supplication apart from the people. He “peace be upon him” said: “It is unlawful for a man to lead a people in prayer without their permission, nor to favor himself with a supplication apart from them; and if he

(1) Sahih Muslim, Hadith no. 1732; Faïd Al-Qadir, Hadith no. 10010.

does, he has indeed betrayed them.”⁽¹⁾

Consider, O men of sound understanding! The majority of texts of supplication heard from him which he used to say after the prayers are specific to himself. But this statement gives the impression that he did not specify supplication to himself apart from the congregation. That is contradiction; and we ask Allah to grant us success.

The people construed the Hadith to point out the supplication during the prayer itself, i.e. in prostration and other postures, rather than after the prayer according to that interpreter. However, since it is invalid to act upon this Hadith, according to Malik, he made it permissible for the Imam to favor himself with supplication apart from those led in prayer. But when this man encountered the words of the scholars, and the words of the righteous predecessors we have already mentioned in this issue, he interpreted and construed their words in accordance with his perplexed way, which made his argument seem contradictory, since the matter is quite obvious. The same applies also to the Hadiths he transmitted. I will not discuss this in detail, in avoidance of lengthiness, given that I have talked about it thoroughly in another context; and praise be to Allah.

(1) Sunan Abu Dawud, Hadith no. 91; At-Tirmithi, Hadith no. 356; Ahmad in his Musnad, 3:436, 5:53; Sunan Ibn Majah, Hadith no. 923.

18.5. The Additional Religious Innovations May Include Suspicious Deeds

The additional religious innovations may include every suspicious deed which is not clear whether it is a religious innovation in order to be forbidden, or not, in order to be acted upon. If we consider it according to the Shari'ah rulings, we would find it to be one of the suspicious matters we are recommended to leave, lest we would fall in the forbidden, i.e. to act upon the religious innovation. The one who acts upon it, in this sense, could hardly be judged whether he has acted upon a religious innovation or upon an item of Sunnah. It is this uncertainty which makes him not act upon a real religious innovation. But at the same time, we could not say that he does not act upon a religious innovation in general.

To explain, the forbiddance of the suspicious is intended to safeguard one from committing the forbidden to which the suspicious may lead. For instance, if a dead animal is mixed with a slaughtered one, one then should be forbidden to get any of them. If he gets anyone of them, in our sight, he may probably have eaten up the dead, since both are suspicious. The easier forbiddance then addresses the dead as far as suspicion is concerned, and the stronger forbiddance addresses it as far as the verification is concerned.

The same is true of the intermixing of a female that is unlawful because of breast-feeding with the woman that is unlawful because of foreignness: as well as the forbiddance concerning suspicion addresses the woman who is unlawful because of suckling, the forbiddance concerning verification addresses her too. The same is said about all suspicious things: that is, the forbiddance to get the suspicious thing is intended to prevent from falling into the forbidden.

Similarly, if a suspicious deed, whether a religious innovation or an act of Sunnah, is forbidden because of suspicion, the religious innovation then, in general, would be forbidden. Whoever does anything forbidden because of suspicion lest it may be a religious innovation, is similar to the one who acts upon a forbidden religious innovation. We have already mentioned that the additional religious innovation is two-sided, and has many examples:

first: if a Mujtahid has two opposing evidences for a deed that is suspicious, whether or not validated by Shari'ah and fit for the people to worship Allah with, and there is no point of combination between both, and it is unclear whether anyone of them has been abrogated or outweighed by the other, it has been established in the fundamentals (of jurisprudence) that it is obligatory upon him to abstain from it. That is because if he acts upon the evidence which supports its validity under Shari'ah, without being preponderant, he then will have acted upon the suspicious, since the other

evidence which supports the invalidity may probably be authentic too. So, it is right that he should stop from it entirely; and that is obligatory upon him.

Second: if the imitator has conflicting evidences for a particular case, which is debatable among the scholars as to whether or not acting upon it is a religious innovation: since no one of both scholars is clearly proved to be more preponderant than the other, it becomes incumbent upon him to stop and ask about them until he knows who of them is more preponderant and then incline to imitate him. If he imitates anyone of them with no evidence that he is more preponderant than the other, he will be subject to the same ruling of the Mujtahid who acts upon one of both evidences even though it does not outweigh the other. Those two examples are almost the same.

Third: it is proven in the books of the authentic Hadiths that the Companions "Allah be pleased with them" used to seek the blessing from many things belonging to The Messenger of Allah "peace be upon him".

It is narrated on the authority of Abu Juhaifah⁽¹⁾ "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" came to us at noon and water for ablution was brought to him. After he had performed ablution, the remaining water was taken by the people and they started smearing their bodies with it (as a blessed thing). However, whenever he "peace be upon him" performed ablution, they (the Companions) would struggle to get (the remaining water of) his ablution.⁽²⁾

It is narrated on the authority of Al-Miswar Ibn Makhramah⁽³⁾ "Allah be pleased with him" that 'Urwah Ibn Mas'ud said to the pagans of Quraish when he returned from The Messenger of Allah "peace be upon him": "By Allah, if he spat, the spittle would fall in the hand of one of them who would rub it on his face and skin; and if he performed ablution, they would struggle to take the remaining water."⁽⁴⁾

Many Hadiths are narrated in this issue, in which the Muslims used to seek the blessing from his hair, garment, so much that on one occasion, he "peace be upon him" touched, with his finger, one of them thereupon he did not shave the hair in that spot until he died. Some went as far as to drink the blood of his cupping... to the end of those things.

It seems that it is valid, under Shari'ah, to do the same with anyone of his allies and successors, in imitation of the Sunnah and tradition of The Messenger of Allah "peace be upon him". That is, it is permissible to seek the blessing from the remaining water of his ablution, rub the skin with his spittle, and seek healing with all his remnants, in expectation for the same blessing

(1) Shatharat Ath-Thahab, 1:82; At-Taqrīb, 2:338.

(2) Sahih Al-Bukhari, Hadith no. 187, 501, 3553, 3560, 3566; Sahih Muslim, Hadith no. 252:503.

(3) Shatharat Ath-Thahab, 1:72; At-Taqrīb, 2:249.

(4) Sahih Al-Bukhari, Hadith no. 2731; Sirat Ibn Hisham, 23:361-362.

sought from the primal followed, i.e. The Messenger of Allah “peace be upon him”.

But there is a problem in this matter. After the death of The Messenger of Allah “peace be upon him”, the Companions "Allah be pleased with them" did nothing of this with anyone of his successors. The Prophet “peace be upon him” did not leave, after him, anyone better and more excellent than Abu Bakr As-Siddik "Allah be pleased with him", who was his first successor. But nothing like this was done with him.

The same is true of ‘Umar, ‘Uthman, ‘Ali "Allah be pleased with them", and all the Companions in general, given that no one is superior to them in this ummah. It is not proven, through an authentic way, that blessing in this very manner was sought from anyone of them. They were imitated only in regard with deeds, words and behaviors in which they followed The Messenger of Allah “peace be upon him”. That is consensus among them on leaving such things.

The reason lying behind what they abandoned thereof is open to two probable interpretations:

The first is their belief in uniqueness, under the claim that this is possible with the rank of Prophethood. They attained all what they sought of blessing and good in him. He “peace be upon him” was light, outwardly and inwardly. Whosoever sought light from him would find it in the very manner and way he liked, unlike anyone else of this ummah, who might have light as much as in proportion to his imitation of him, and copying his guidance. But by no means could anyone attain or even become close to his rank whatsoever.

Thus, this kind became unique to him, like all the characteristics given to him: for instance, it was lawful for him to marry more than four women, and to have sexual relation with such of women as granted herself to him in marriage; and it was not necessarily due on him to assign a day-and-night turn to each of his wives equally... to the end of those things.

According to that approach, it is not valid for anyone after him to imitate him in seeking the blessing in that very way. Whoever imitates him in this way, his imitation then is a religious innovation, just like the imitation of him in marriage from more than four women.

The other does not go back to their belief in uniqueness. They seemed to have abandoned this to eliminate a means which may lead to unfavorable results, for fear it would become an item of Sunnah, as has previously been mentioned in following the traces and the forbiddance to do so. Furthermore, the laymen always go beyond the due limit in this respect, and ignorantly exaggerate in seeking the blessing, to the point of exalting the object of blessing in a way that turns it from the due limit.

One may think the object of blessing has something which is not really in it. Seeking blessing in this way is the origin of worship. For this reason, it was not strange that ‘Umar "Allah be pleased with him" cut off the tree underneath

which the pledge of allegiance was given to The Messenger of Allah “peace be upon him” (in the year of Hudaibiyah). That was the origin of idolatry in the past, as mentioned by the composers of biography. ‘Umar "Allah be pleased with him" felt afraid that the continuous prayer to this tree might lead the people, gradually, to worship it other than Allah Almighty, as a natural consequence of exaltation.

It is related by Al-Farghani⁽¹⁾, in the footnote of Tarikh At-Tabari, that the companions of Al-Hallaj⁽²⁾ exceeded the due limits in seeking the blessing from him to the extent that they rubbed their skin with his urine, and incensed themselves with his dung. They continued to do so until they claimed he was a god, Exalted and Hallowed be Allah Almighty from what they describe.

On the other hand, whatever the traces of the alliance to Allah may seem visible, it is hidden, since it goes back, in reality, to an internal thing known only by Allah Almighty. Alliance to Allah, in this sense, may be claimed by the people to one who is not worthy of it, or he may claim it by himself, or he may show a supernatural event, belonging to sorcery rather than to mystic ability. The laymen usually make no difference between the mystic ability and magic. They exalt him who is not exalted, and imitate him who is unfit for imitation. That is indeed the grave error, let alone the other evils. The predecessors did not act upon that previously mentioned, regardless of its foundation (in Shari‘ah), for fear it would lead to corruption in the religion.

It seems, at the first glance, that this second probability is more preponderant, under the claim that every act of worship given to The Messenger of Allah “peace be upon him” should be imitated by his ummah, so long as there is no evidence for his uniqueness in it.

But the first may prove more preponderant from another perspective. The predecessors did not act upon that persistently and constantly. Had they thought it to be validated by Shari‘ah, they would have acted upon it after him, supporting their claim either by its being basically validated, or the belief in the disappearance of the cause of abstention.

It is narrated by Ibn Wahb⁽³⁾ on the authority of Yunus Ibn Yazid⁽⁴⁾ from Ibn Shihab⁽⁵⁾ that he said: A man from among the Ansar related to me that whenever The Messenger of Allah “peace be upon him” performed ablution or spat, the Muslims around him would hasten to take the remaining water of his ablution or his spittle to drink and rub their skin with. When he saw them doing so, he asked them: “Why are you doing so?” they said: “We seek the purification and blessing.” On that The Messenger of Allah “peace be upon

(1) Siyar A‘lam An-Nubala’, 16:132.

(2) Tarikh At-Tabari, 10:147; Shatharat Ath-Thahab, 2:233, 253.

(3) Shatharat Ath-Thahab, 1:347; At-Taqrīb, 1:460.

(4) Tahthib At-Tahthib, 11:395; At-Taqrīb, 2:386.

(5) At-Taqrīb, 2:207; At-Tathkirah, 1:108.

him” said: “Whoever among you loves Allah and His Messenger, let him tell the truth, fulfill the trust, and harm not his neighbor.”⁽¹⁾

If this transmitted text is authentic, it gives the impression that it is preferable to leave that act, and rather seek the more confirmed duties and obligations. Nothing of this is proven but in Ruqyah or in the supplication of one for another, and this will be discussed later, Allah willing.

In brief, the question is open to two probabilities: to be validated, thereby included under the suspicious matters, or not validated⁽²⁾; and Allah Almighty knows best.

(1) Shu‘ab Al-Iman, Al-Baihaqi, Hadith no. 9229; Al-Musannaf, ‘Abd-Ar-Razzaq, Hadith no. 19748; Jami‘ Ma‘mar Ibn Rashid, 1:434.

(2) In this case, it will be characteristic of the Prophet “peace be upon him”, such as drinking his blood. It is well-known that drinking blood in general is unlawful. That is the significance of The statement of the Messenger of Allah “peace be upon him” to ‘Abdullah Ibn Az-Zubair when he drank of his (the Prophet’s) blood: “Your blood has been mixed with mine. Woe to the people from you, and woe to you from the people!”.

19.5. The Additional Religious Innovation May Become Close To The Real One When The Act Of Worship Is Shari'ah-Validated In Principal

The additional religious innovation may become close to the real one when the act of worship is Shari'ah-validated in principal, and it deviates from its principal validity, under Shari'ah with no evidence, with the false impression that it still remains valid as it is in principal with evidence, such as to restrict what is absolute, or make absolute what is restricted, depending only upon the personal independent opinion. It is, in general, to turn it from the very limit set for it.

A typical example is to say that fasting, in general, is recommended to by the lawgiver, with no limit of time or amount, except what is forbidden in particular, like the days of both 'Eeds, or recommended to in particular, like the days of 'Arafah and 'Ashura'. If one favors with fasting Friday or many days in the month, apart from the specification of the lawgiver, it seems to depend on the option of the competent for religious assignments, such as Wednesday every week, both the seventh and the eighth days every month, and the like of this. If he is asked about the reason why he favors those days apart from others, he will have no argument other than his insistence, or his claim that such and such Shaykh died on such and such days. Without doubt, it is a mere opinion void of evidence, thereby he intends to imitate the specification made by the lawgiver of particular days. In this way, the specification made by such a competent for religious assignments is a religious innovation, since it is legislation with no support.

Another example is to favor the virtuous days with acts of worship not ordained for them in particular, like, for instance, to favor such and such a day with such and such a number of rak'ahs, or such and such an amount of charity, or such and such a night with such and such standing (in prayer) with such and such a number of rak'ahs, or reciting the Qur'an from the beginning to the end, and so. Unless this specification intends to help the people who have free time and activity devote themselves to worship, it will be an unnecessary legislation.

He has no proof to support his claim that such and such a time is proved to be superior to others, which makes worship in it excellent to the worship at other times. Let us ask: does this superiority have a foundation proven for it? If it is proven, that is then our question, like the superiority of standing (in prayer) on the nights of Ramadan, the three monthly fasts, and the fasting of every Monday and Thursday. If it is not proven: then, what is the support for it? The mind alone has no power to appreciate or depreciate, and there is no

Shari'ah proof to rely on in it. It is then nothing other than an innovation in specification, like the invention of sermons, and seeking to recite the Qur'an from the beginning to the end on some nights of the month of Ramadan.

Another example is to talk to the laymen with words too abstruse upon them to understand. It is to place the wisdom improperly. The listener may, in most cases, understand it differently from what it really means. That is an affliction which leads to giving lie to the truth, and acting upon falsehood. He also may understand nothing thereof; and although it is safer, the speaker does not maintain wisdom as it should be. By talking about it in such a way, he is like the one who plays with the favor of Allah.

Furthermore, if he gives it to him who understands it not, for the purpose of getting benefit from it, it becomes like obligation of what is beyond the capacity; and it is forbidden. It is narrated by Abu Dawud on the authority of Mu'awiyah that he said: The Messenger of Allah "peace be upon him" forbade fallacies (to face the religious scholars with the controversial religious questions with the intention to make them falter in their opinion).⁽¹⁾

It is narrated by At-Tirmithi and others that a man came to The Messenger of Allah "peace be upon him" and said: "O Messenger of Allah! I have come to you so that you should teach me of the abstruse matters of knowledge." He "peace be upon him" said to him: "What have you done with the fundamentals of knowledge?" the man said: "What are the fundamentals of knowledge?" he asked him: "Have you known the Lord?" the man answered in the affirmative. He further asked him: "What have you done to fulfill His right?" the man said: "As Allah wills." The Messenger of Allah "peace be upon him" said: "Go and learn perfectly what you should learn and once you finish, come to me so that I would teach you of the abstruse matters of knowledge."⁽²⁾

That is the significance of wisdom: that is, the abstruse matters should be learnt only after learning perfectly the fundamentals of knowledge, otherwise, it would lead to affliction. They say about the scholarly learned that he is the one who educates others with the simple, more than the difficult, issues of knowledge.

The evidence for this matter is famous in the authentic Hadiths. It is on this basis that Al-Bukhari presented a chapter which he titled: Dedicating knowledge to certain people for fear that others could not correctly understand it. Then, he narrated on the authority of Ali Ibn Abu Talib "Allah be pleased with him" that he said: "Talk to people with what they know (and could understand). Do you like that people should give lie to Allah and his

(1) Sunan Abu Dawud, Hadith no. 3656.

(2) In this Hadith too, The Messenger of Allah "peace be upon him" asked him: "Have you known death?" the man answered in the affirmative. He asked him: "What have you prepared for it?" he said: "What Allah wills." It is, more likely, not narrated by At-Tirmithi. See *Ihya' Ulum Ad-Din*, 1:62 and the footnotes of Al-Iraqi.

Messenger?"⁽¹⁾ then, he mentioned the Hadith of Mu'ath⁽²⁾ "Allah be pleased with him" which he related only when he became on the threshold of death for fear of sin (of concealing knowledge). Mu'ath related it only when death approached him, because The Messenger of Allah "peace be upon him" did not permit him to narrate it, lest it would be understood improperly. He taught it to Mu'ath because he was fit for that.⁽³⁾

It is narrated by Muslim on the authority of Ibn Mas'ud "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "You never tell a people something which they might not understand properly except that it would be for some of them a (source of) temptation."⁽⁴⁾ That is, according to Ibn Wahb, the people interpret it differently from what it really means, and construe it within contexts different from its real one.

It is narrated by Shu'bah⁽⁵⁾ on the authority of Kathir Ibn Murrah Al-Hadrami⁽⁶⁾ that he said: "There is a right on you in your knowledge, equal to the right that is due on you in your property. Give knowledge only to those fit for it, lest you would be regarded as ignorant, and do not withhold knowledge from its real men lest you would be sinful. Do not talk with wisdom at the presence of the weak-minded, lest they would give lie to you, and do not talk with falsehood at the presence of the wise lest they would hate you."

The scholars mentioned this topic and discussed it satisfactorily. We referred to it here for a lot of people who do not estimate this issue perfectly could, probably slip in it, and talk to the people with what is beyond the reach of their minds. That is, indeed, opposed to Shari'ah, and the method adopted by the righteous predecessors of this ummah.

A further example pertains to what has already been mentioned concerning the superiority of the act of Sunnah, acting upon which may lead to the religious innovation, in terms of acting upon something which was not acted upon by the righteous predecessors of this ummah.

(1) Sahih Al-Bukhari, Hadith no. 127.

(2) Shatharat Ath-Thahab, 1:29; At-Taqrīb, 2:255.

(3) Sahih Al-Bukhari, Hadith no. 128, 129; Sahih Muslim, Hadith no. 32. It is narrated on the authority of Anas that he said: Once Mu'ath was along with the Messenger of Allah "peace be upon him" as a companion rider. The Messenger of Allah "peace be upon him" said: "O Mu'ath Ibn Jabal!" Mu'ath replied: "Here I am, at your service, O Messenger of Allah!" Again The Prophet "peace be upon him" said: "O Mu'ath!" Mu'ath said thrice: "Here I am, at your service, O Messenger of Allah!" The Messenger of Allah "peace be upon him" said: "There is none who testifies sincerely that there is no God to be worshipped but Allah and that Muhammad is his Messenger, except that Allah will save him from the Hell-fire." Mu'ath said: "O Messenger of Allah! Should I not inform the people about it so that they may have glad tidings?" He replied: "When the people hear about it, they will depend on it." Then Mu'ath narrated the above-mentioned Hadith just before his death, for fear of committing sin (by concealing the knowledge).

(4) See the introduction of Muslim, 1:11.

(5) At-Tahthib, 4:297; Ash-Shatharat, 1:247.

(6) At-Taqrīb, 2:133; Al-Jarh Wat-Ta'dil, 7:157.

A mention may be made of repeating the same Surah in the same session of recitation, or in the same rak'ah. The Qur'an has not been ordained in this way, or in order to give preference to anything thereof over another, neither in the prayer nor in anything else. The one who does so then acts upon it depending only on his personal opinion in the worship of Allah Almighty.

It is narrated by Ibn Waddah on the authority of Mus'ab⁽¹⁾ that he said: Sufyan⁽²⁾ was asked about a man who recites only (Surat Al-Ikhlās in which Allah says) **{Say, He is Allah, the One and Only}**, and does not recite any Surah as he recites it, thereupon he (Sufyan) regarded it unfavorable, and said: "You are only followers. So, follow these of the early generation, and nothing like this has been handed down from them. The Qur'an has been revealed to be recited entirely, without giving preference to anything thereof over the other."

It is narrated by Ibn Wahb also on the authority of Ibn Al-Qasim⁽³⁾ from Malik that he was asked about reciting **{Say, He is Allah, the One and Only}** more than once in the same rak'ah, thereupon he regarded it unfavorable and said: "That is one of the newly invented matters they made in the religion."

This, according to Ibn Rushd, may lead to the religious innovations. That is why the like of it was not handed down from the predecessors, regardless of being equal to one-third of the Qur'an, as narrated in many authentic Hadiths. The Hadith gives the impression that the repetition is something newly invented in the validated foundation.

One of those examples too is to recite the Qur'an in congregation in the evening prior to the Day of 'Arafah, in imitation of the men of 'Arafah, and pronouncing the Athan, on Friday prayer, in front of the Imam rather than from the minaret. It is handed down from the hearsay of Ibn Al-Qasim that he was asked about the villages where there is no Imam: if anyone from among them leads them in Jumu'ah prayer, should he deliver a sermon to them? He answered in the affirmative and said: "No Jumu'ah prayer is valid without a sermon." It was said to him: "Should the Athan be pronounced in front of him?" he answered in the negative.

He attested his argument with the conduct of the inhabitants of Medina. According to Ibn Rushd: To pronounce Athan in front of the Imam on Friday is unfavorable, because it is something newly invented in the religion. The first one to invent it was Hisham Ibn 'Abd-Al-Malik⁽⁴⁾. It was the habit of The Messenger of Allah "peace be upon him" that whenever the sun declined, he would come out and ascend the pulpit, and once the Mu'aththins saw him, and they were three, they would stand and pronounce Athan in the window one

(1) Shatharat Ath-Thahab, 1:242; At-Taqrīb, 2:251.

(2) Ibn Sa'eed Ibn Masruq: At-Taqrīb, 1:311; At-Tathkirah, 1:203.

(3) Ash-Shatharat, 1:329; At-Taqrīb, 1:495.

(4) Shatharat Ath-Thahab, 1:163; Al-Ma'arif, 365.

after the other, the same as it would be pronounced on the other days. Once they finished, The Messenger of Allah “peace be upon him” would start to deliver his sermon. This method was followed by Abu Bakr and ‘Umar “Allah be pleased with them”, and when the people increased in number, ‘Uthman Ibn ‘Affan⁽¹⁾ “Allah be pleased with him” added a further Athan pronouncement at Az-Zawra’ just at the time the sun would pass the meridian, announcing that the time of prayer became due, and the Athan in the window after his sitting on the pulpit was left as it was.

This continued until it was the time of Hisham, who moved the Athan pronouncement of Az-Zawra’ to the window, and the Athan of the window to be in front of him, and the Mu’aththins were ordered to pronounce Athan in a row. This was followed by all the caliphs who came after him until those days of ours. According to the words of Ibn Rushd, that is a religious innovation, whereas the Sunnah is that followed by The Messenger of Allah “peace be upon him” and his successors, i.e. the rightly-guided caliphs after him.

The same was transmitted also by Ibn Habib, who said: it is narrated on the authority of Asad Ibn Musa⁽²⁾, from Yahya Ibn Sulaim⁽³⁾, from Ja’far Ibn Muhammad Ibn Jabir Ibn ‘Ubaidullah⁽⁴⁾ from The Messenger of Allah “peace be upon him” that he said: “The best guidance is that of Muhammad “peace be upon him”, and the worst of matters are the new innovations (made in the religion), and every religious innovation is an error.”⁽⁵⁾

That the Athan used to be pronounced at the time the Imam was ascending the pulpit, as put by Ibn Habib, remained during the caliphate of ‘Uthman “Allah be pleased with him” agrees with what was transmitted by the traditionalists. ‘Uthman “Allah be pleased with him”, in this sense, added only the Athan pronouncement at Az-Zawra’. Thus, the movement of the Athan pronouncement which was validated, by Hisham, from the minaret to be in front of him, was a religious innovation in that which was validated in principal.

It may be argued that the Athan of Az-Zawra’ was also innovated, in principal, rather than moved from its foundation, and the same applies to its movement at the hands of Hisham, which is even less significant.

In reply to this, let us say that the Athan of Az-Zawra’ was presented there, with the fundamental intent to inform the people about the time of prayer, and it was moved to that place because it was not heard in the mosque, as it was during the time of those before ‘Uthman. This new event which was not before him required him to depend upon his personal and independent

(1) Shatharat Ath-Thahab, 1:41; At-Taqrīb, 2:12.

(2) Shatharat Ath-Thahab, 2:27; At-Taqrīb, 1:63.

(3) Shatharat Ath-Thahab, 1:344; At-Taqrīb, 2:349.

(4) At-Taqrīb, 1:122; Al-Jarh Wat-Ta’dil, 2:492.

(5) Sahih Muslim, Hadith no. 43:867; Ahmad in his Musnad, 3:31, 319, 371; Ibn Majah, Hadith no. 45; Ad-Darimi, Hadith no. 206.

opinion, like the other questions which necessitated Ijtihad.

Since the intent of that was information, which is the intent of the Athan in principal, we could say that it remained as it was, and there was no contradiction in moving it to that place. No new phrases were invented in it, and it has not been proven that pronouncing the Athan on the minaret or on the roof of the mosque is unreasonable act of worship. For this reason, it was suitable, unlike the movement of the Athan from the Minaret to be in front of the Imam, which was, by so doing, shifted from its fundamental intent of information, under pretext that it was not ordained for the inhabitants of the mosque to inform the people about the time of prayer with anything other than Iqamah.

A further example is to pronounce Athan and Iqamah in the prayers of both 'Eeds. A consensus among the jurists is transmitted by Ibn 'Abd-Al-Barr that neither Athan nor Iqamah should be pronounced in them, nor in the supererogatory prayers, nor in the prayers the performance of which is regular (after or before the obligatory prayers). The Athan should be pronounced only for the obligatory prescribed prayers. That is the method followed by the caliphs, Abu Bakr⁽¹⁾, 'Umar⁽²⁾, 'Uthman and 'Ali⁽³⁾ "Allah be pleased with them" and the scholars and jurists of the Tabi'is in all regions.

It was Hisham Ibn 'Abd-Al-Malik, as stated by Ibn Habib, who invented the Athan and Iqamah pronouncement in the prayers of both 'Eeds. He intended, by it, to notify the people about the arrival of the Imam. He also forwarded the sermon before the prayer, as did Marwan before him, and ordered that Iqamah should be pronounced after finishing from his sermon, in order to inform the people that the sermon was over, and the prayer became due, for the people were far from him.

Although both Marwan⁽⁴⁾ and Hisham depended on their personal and independent opinion in this matter, it is impermissible to do anything depending on one's personal opinion in opposition to The Messenger of Allah "peace be upon him".

According to Ibn Al-Majishshun⁽⁵⁾ : I heard Malik (Ibn Anas)⁽⁶⁾ "may Allah have mercy upon him" having said: "Whoever invented a religious innovation in Islam which he thought to be good, has, indeed, claimed that Muhammad "peace be upon him" had betrayed the message. That is because Allah Almighty says: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your**

(1) Ash-Shatharat, 1:24; At-Taqrīb, 1:432, 2:6, 401.

(2) At-Taqrīb, 2:54; At-Tathkirah, 1:5.

(3) At-Taqrīb, 2:39; At-Tathkirah, 1:10.

(4) At-Taqrīb, 2:238-239; Al-Ma'arif, 353.

(5) Tabaqat Ibn Sa'd, 5:442; Al-Jarh Wat-Ta'dil, 5:358.

(6) At-Taqrīb, 2:223; At-Tathkirah, 1:207.

religion.} [Al-Ma'idah 3] What was not a part of religion on that day, should not be considered a part of the religion today (or at any time)." ⁽¹⁾

It is also narrated that it was Mu'awiyah ⁽²⁾ or Ziyad who invented that Athan, and that Ibn Az-Zubair ⁽³⁾ did it towards the end of his caliphate. But the majority of scholars do not confirm that report.

One may argue that the Athan invented by Hisham is like that of Az-Zawra' added by 'Uthman "Allah be pleased with him". During the era of Hisham, a new unprecedented incident occurred and was not in the past, which required it, and this means that it was not opposed to the Sunnah. The Athan pronouncement informs the people about the arrival of the Imam, esp. those far from him and do not know about his coming, and the Iqamah pronouncement informs them about the prayer, and without it the people do not know that it would start. Thus, it became necessary, just like the Athan to be pronounced at Az-Zawra'.

In reply, let us say that no Athan was ordained to inform the people about the arrival of the Imam, regardless of being hidden from some of them, esp. those far from him, in view of the increasing number of the people. Since it was not ordained in the past, despite the fact that the rationale existed, it then should not be ordained afterwards. It is not valid to say that the rationale was not effective during the era of The Messenger of Allah "peace be upon him" and the rightly-guided caliphs after him, and then would become effective afterwards.

The invention of such Athan and Iqamah pronouncement, on the other hand, was based on the invention of presenting the sermon before the prayer, and what is based on an invention is also an invention. Since no Athan nor Iqamah was ordained for the supererogatory prayer, whatsoever, it was understood that Shari'ah makes difference between the obligatory and supererogatory prayers in regard with the call to them. That is the difference between the Athan of Az-Zawra', and that newly invented, which should not be compared with the former.

Many are the examples in this respect. From among those, which should not be neglected, a mention may be made of the conduct of some belonging to Sufism, who assign particular acts of worship to particular times not set by Shari'ah. They assign some validated acts of worship at spring, others at summer, others in winter, and others in autumn.

They may also put on special clothing while performing some of those acts of worship. They do all of this thereby to draw near the presence of the Lord, as they claim. But their desires may not be based on the real purposes of Shari'ah, like the atherents of Athkar and supplications, thereby to gain such

(1) Tathkirat Al-Mu'tasi pp50, 380; Al-I'lam Bi Mukhalafat Al-Ittifaq Wal-I'tisam p13.

(2) Ash-Shatharat, 1:65; At-Taqrīb, 2:259.

(3) Shatharat Ath-Thahab, 1:79; At-Taqrīb, 1:415.

worldly benefits as property, majesty, celebrity and high position, and dispose of things in accordance with their own desires.

All of those are religious innovations, which differ in strength and weakness according to the extent their related desires are remote from the real purposes of Islamic Shari'ah, which is free from the conjuncture of the guessers, and purified for those who stick to it rather than follow their own inclinations and fancies. That is because every believer in it knows well its real purposes, which he deems far beyond those weak desires.

To attest the falsehood of their claim depends on the argument of the failure to occupy the time with what is preferable.

Of course, all of this is so if we suppose that the act of worship is fundamentally valid, under Shari'ah. But in case it is not valid, then, it becomes a real religious innovation, like the Athkar and supplications based on the science of letters, as alleged by some scholars. It is that which Al-Bawni⁽¹⁾ and his followers cared for. This kind is more subtle than the philosophy of Aristotle upon which they depended.

They reduced it to the letters and sought the times of the emergence of particular stars, in expectation for the effect. Thus, they gave governance to minds and dispositions, and turned away from the Lord of minds and dispositions. They assumed that out of belief that it is fit for attestation on the occurrence of anything in accordance with their purposes. For instance, if they supplicated with a particular supplication under certain conditions, with the intention to achieve the required purpose, it would take place, according to their allegation, be it positive or negative, benefit or harm. Good or evil. Then, they built on this their belief that the supplication would receive answer, or that a supernatural event of any of their Awliya' would occur.

But how far! By no means would the effect or the supernatural event result from their supplications or recitals. How far is the heaven from the earth, and the fire from the water!

But it may be asked: Why should the effect they require take place? Let us say that this is out of the Fitnah doomed to the people (in confirmation of Allah's saying): **{that is the decree of (Him), the Exalted in Might, the All-Knowing.}** [Yasin 38] The causes and effects are instilled by Allah in the souls, and He demonstrates whatever He wills of effects at whatever He likes of causes, such as the one who becomes under the evil eye of envy when he is harmed, or the bewitched when he is put under the influence of magic, and so. Both stem from the same root.

The evidence for that is taken from the narration of Muslim on the authority of Abu Hurairah "Allah be pleased with him" in which he said: The Messenger of Allah "peace be upon him" said: Allah Almighty says: "I am just as My servant assumes of Me, and I am with him as he remembers Me. If he

(1) The author of Shams Al-Ma'arif and other books of magic and talismans.

remembers Me in his heart, I would remember him in My Heart; and if he remembers Me in assembly, I would remember him in assembly, better than his; and if he draws near Me as short as a span, I would draw near him as long as a cubit; and if he draws near Me as long as a cubit, I would draw near him as long as outstretched two hands; and if he walks towards Me, I would rush towards him.”⁽¹⁾

According to another narration, He said: “I am just as My servant assumes of Me: so, let him assume of Me as he likes.”⁽²⁾

It is irrelevant to this context to explain the meanings of those words.

In sum, the situation of the Athkar and supplications in the very manner we have already referred to belongs to the new invented religious innovation. But whether it is an additional or real depends upon its being ordained in principal.

(1) Sahih Muslim, Hadith no. 2675; Al-Adab Al-Mufrad, 216, 616; Ahmad in his Musnad, 3:210; At-Tirmithi, Hadith no. 2496; Kanz Al-'Ummal, Hadith no. 5845; Majma' Az-Zawa'id, 10:148.

(2) Al-Bukhari, Hadith no. 7405; Ahmad in his Musnad, 3:106, 491; Ad-Darimi, Hadith no. 2731; Majma' Az-Zawa'id, 2:318.

20.5. Should The Additional Religious Innovation Be Taken Into Consideration?

It may be asked whether the additional religious innovations be considered acts of worship thereby one becomes near Allah Almighty?

In case of the first probability, that it is a religious innovation is pointless, and there is no benefit to discuss it here. That is because the innovative side may not be considered in terms of the obligatory worship; and in this way, it will be validated, and there is a reward for doing it. But the innovative nature may also be considered, and in this case, the innovation in the religion will have a negative effect on the reward. But by no means will it be condemned absolutely as the real religious innovations.

If it is the other probability, then, it will represent, along with the real, the two divisions of the religious innovations, upon which this section in issue is established; and in this case too, there is no benefit to discuss it.

In reply, let us say that the additional religious innovation is not inclined to any foundation apart from the other: it has two foundations, one in the Sunnah and the other a religious innovation. This requires that the doer receives a reward for doing it from the perspective of the validated foundation, and sins for doing it from the perspective of the innovated foundation which is not validated by Shari'ah. But this consideration is general, and in order to be understood, it should be discussed in more detail.

The religious innovation in relation with the deed, could be independent from, or in combination with the deed. In case of combination, it could or could not be an attribute of the validated deed, inseparable from it, either by intent or in compliance with the Shari'ah.

Those are four divisions, each of which will be explained in an independent chapter.

21.5. A Chapter On The First Division: When The Act Is Independent From The Deed

The first division is that the act is independent from the validated deed. This concept is obvious. But here let us put this differentiation. If it is put for the sake of worship, then, it should be considered a real religious innovation, otherwise, it belongs to the ordinary acts, and that is irrelevant to our discussion.

An example for it is to like to stand in prayer, and in the course of doing so, one hawks, expectorates, takes many steps forward or backward, or so, thereby does not intend anything belonging to the prayer. He does it only by custom or out of disgust or so. There is no blame in it in itself or even in the prayer, as it belongs to the permissible habits. But it should not be understood to be a part of the prayer by intention or act, in which case, it becomes a religious innovation; and it will be discussed in detail later, Allah willing.

Similarly, if one does an act with the intention to draw near Allah and this act is not ordained in principal, after which he stands to the ordained prayer, but he does not intend to do this act for the sake of, or to be a part of the prayer, it will not defame the prayer by all means. If there is condemnation, it goes back to that act solely.

If one intends to do a validated act of worship, say, the prayer, and before it, he does another validated act of worship, without the intention to make the former a part of the latter, both acts of worship then would be valid, under Shari'ah, in principal. It is like the statement of anyone on slaughtering or emancipating a slave: "O Allah! It is from You and to You", but not regularly, and without the intention to make it a part of the rite; and also the recitation of the Qur'an during Tawaf, not regularly, nor for the sake of Tawaf itself, and without the intention to be a part of it. In this way, every act of worship is done solely, and independently, in which there is no blame.

Being so, if the congregational supplication is performed by Imams in some mosques, to encounter draught, famine, or any such distress befalling the Muslims, it would be permissible, since it would meet the required condition. That is because it would take place in a way in which there is no fear that it would be a part of the worship, or an act of Sunnah to be done congregationally and publicly in the mosques.

A mention may be made here of the invocation for rain which The Messenger of Allah "peace be upon him" performed while delivering his sermon, and the other supplications he did after the obligatory prayers, sometimes rather than regularly, just like the other favorable deeds, in which one does not seek a particular time or a certain constitution.

It is narrated on the authority of Abu Sa'eed, the freed slave of Usaid, that he said: "It was the habit that whenever 'Umar "Allah be pleased with him" performed 'Isha' prayer, he would take the people out of the mosque. One night, some people who were remembering Allah remained behind in the mosque, and when he came upon them, he recognized them, thereupon he threw his stick and sat with them. He went on saying to them, one after the other: "O so and so! Supplicate Allah for us! O so and so! Supplicate Allah for us!" Nothing prevailed in the gathering other than the supplication. The people used to say that 'Umar was harsh and heart-hardened. But this night, I have never seen anyone, even a mother bereaved of her child, more tenderhearted than him."

It is narrated on the authority of Salim Al-'Alawi that he said: One day, a man said to Anas (Ibn Malik) ⁽¹⁾ "Allah be pleased with him": "O Abu Hamzah! Would that you supplicate Allah for us!" Anas said thrice: "O Allah! Give us a good deed in this world, and a good deed in the hereafter, and save us from the punishment of the Hell-fire." The man said too: "O Abu Hamzah! Would that you supplicate Allah for us!" Anas supplicated with the same supplication, and no more.

If it is so, it will not be disapproved. But if anything more is added to it, it will disagree with the Sunnah just because of this further addition. It is reported from the righteous predecessors that one's supplication for another is unfavorable, not because it is so in principal, but because of what is added to it, which turns it from its fundamental basis.

It is narrated by At-Tabari on the authority of Madrak Ibn 'Imran that he said: A man said to 'Umar "Allah be pleased with him": "Supplicate Allah for me." 'Umar replied: "I am not a Prophet. Anyway, if the prayer is established, ask Allah for forgiveness for your sin."

'Umar "Allah be pleased with him" rejected not because the supplication is unfavorable in principal. He seemed to have understood from the asker something more than the supplication, and that is why he said to him: "I am not a Prophet."

It is narrated that when Sa'd Ibn Abu Waqqas ⁽²⁾ "Allah be pleased with him" came to Sham, a man went to him and said: "Ask for (Allah's) forgiveness for me." He said: "May Allah forgive you!" another man came and said to him too: "Ask for (Allah's) forgiveness for me." On that he said: "May Allah forgive not for you nor for this (the former)! Am I a Prophet?"

This is more obvious. He understood something more from the asker, i.e. that he might think of him as being like the Prophet, or that it might become a means to that belief, or he might believe it is an act of Sunnah to be done regularly, or it might turn into an act of Sunnah among the people.

(1) At-Tahthib, 1:376; At-Taqrīb, 1:84.

(2) Shatharat Ath-Thahab, 1:61; At-Taqrīb, 1:290.

The same is narrated on the authority of Zaid Ibn Wahb⁽¹⁾ that a man said to Huthaifah⁽²⁾ "Allah be pleased with him": "Ask for forgiveness for me." He said to him: "May Allah not forgive for you!" then he said: "This man will go to his wives and say: "Huthaifah has asked for forgiveness for me. Do you like that I should supplicate Allah to be like Huthaifah?"

This indicates that he doubted of something extra which the supplication may be a means to, and this would, of a surety, turn it from its origin, as shown in his comment: "Huthaifah has asked for forgiveness for me. Do you like that I should supplicate Allah to be like Huthaifah?" That means it would become common among the people as if it were an act of Sunnah, and the people would think of Huthaifah what he himself did not like about himself. This would exceed the valid to the invalid, under Shari'ah, and lead to partisanship, and thinking of things to be more than they are in reality.

This meaning is further explained by the narration of Ibn 'Ulayyah⁽³⁾ from Ibn 'Awn⁽⁴⁾ that he said: A man came to Ibrahim⁽⁵⁾ and said to him: "O Abu 'Imran! Supplicate Allah that He would cure me." Ibrahim disliked that and frowned and then said: "A man came to Huthaifah "Allah be pleased with him" and said: "Supplicate Allah to forgive for me." On that Huthaifah said to him: "May Allah not forgive for you." The man turned aside and sat down. Later on, Ibrahim explained that he had the same doubt as Huthaifah had in the same situation. When a mention was made of the Sunnah, Ibrahim exhorted the people to stick to it, and disliked what the people invented in religion.

It is narrated on the authority of Mansur from Ibrahim that he said: "They (the righteous predecessors) used to gather and study knowledge, and used not to say to each other: "Ask for forgiveness for us.""

The point here is that they disliked supplication when combined with anything not acted upon by the righteous predecessors of this ummah. Compare, by your mind, what our people used to supplicate with following the prayers, and also on many occasions, with the behavior of Ibrahim, who exhorted the people to stick to the Sunnah, and disliked the innovations and inventions made in the religion.

It is narrated by Ibn Wahb on the authority of Al-Harith Ibn Nabhan⁽⁶⁾ from Ayyub⁽⁷⁾ from Abu Qilabah⁽⁸⁾ from Abu Ad-Darda'⁽⁹⁾ "Allah be pleased

(1) At-Taqrīb, 1:277; At-Tathkirah, 1:66.

(2) Shatharat Ath-Thahab, 1:44; At-Taqrīb, 1:156.

(3) At-Taqrīb, 1:65-66; At-Tathkirah, 1:322.

(4) Ash-Shatharat, 1:230; At-Taqrīb, 1:439.

(5) Ibn Yazid Ibn Qais Ibn Al-Aswad. At-Tahthib, 1:177; At-Taqrīb, 1:46.

(6) At-Taqrīb, 1:144.

(7) At-Tahthib, 1:148; At-Taqrīb, 1:89.

(8) At-Taqrīb, 1:417; At-Tathkirah, 1:94.

(9) Ash-Shatharat, 1:39; At-Taqrīb, 2:91.

with him" that somebody said to him: "Such and such a people from among the inhabitants of Kufah greet you, and ask you to supplicate Allah for them, and advise them." He said: "Greet them on my behalf and tell them to recite the Qur'an, and act upon it as it should be, because it leads them to moderation and ease, and keeps them from excess and hardness." There is no report that he supplicated Allah for them.

22.5. A Chapter On The Second Division: When The Act Is An Attribute Of The Validated Deed

The second division is that the act becomes an attribute of the deed that is validated by Shari'ah, which is not characteristic, in principal, of that attribute ascribed to it, and this means that by this attribute, it loses its validity under Shari'ah.

This meaning is well clarified by the statement of The Messenger of Allah "peace be upon him": "Every deed which disagrees with our matter (of religion) is rejected (from him as being void)."⁽¹⁾ It is rejected because it disagrees with the tradition of The Messenger of Allah "peace be upon him", like the healthy one who performs the obligatory prayer as sitting, given his capability of doing it as standing, or exalts Allah (in prayer) where he should recite the Qur'an, or recites the Qur'an (in prayer) where he should exalt Allah, and so

The Messenger of Allah "peace be upon him" forbade performing prayer after the Morning and 'Asr prayers, as well as at the time the sun is rising and setting. But some scholars went on generalizing the forbiddance as far as to include even the obligatory prayers at those times. In this way, the forbiddance includes the prayer because it is done at a particular time, just as the time is considered in the obligatory prayers, by consensus: for instance, Zhuhr prayer should not be performed before the sun decline, nor should Maghrib prayer be performed before sunset, and so.

Similarly, The Messenger of Allah "peace be upon him" forbade fasting on both days of 'Eed Al-Fitr and Al-Atha. There is also consensus that no Hajj is due on days other than those assigned to it.

Whoever worships Allah Almighty with any of those acts of worship at a time rather than that assigned to it has indeed worshipped Allah with a real, rather than additional, religious innovation. That is because it does not have two sides one of which is validated by Shari'ah. It is innovated entirely, and that is why there is no reward for it. If it is argued that prayer is valid at the times where it is unfavorable, or that fasting is valid on the days of both 'Eeds, this requires that the forbiddance should go back to its being a description rather than worship, as has already been clarified.

This division includes the conduct of some people, as reported by Al-Qarafi, who thought that the Morning prayer on Friday would be three, rather than two, rak'ahs. That is because when they kept reciting Surat As-Sajdah in it

(1) Al-Bukhari, Hadith no. 2697; Muslim, Hadith no. 1718; Ahmad in his Musnad, 6:146, 180, 240, 256.

regularly, they thought it is one of the fundamental pillars in prayer, and regarded it a third rak'ah. Thus, the prostration became an essential attribute and an integral part of the Morning prayer of Friday, and that is why it was incumbent to be nullified.

As such we should perform the acts of worship validated by Shari'ah when they are restricted by certain times, in the sense that any change in that time is an extra attribute which turns them from their origin.

When an attribute of a thing becomes essential to it, it becomes an integral part of it. The attribute, in this concept, represents the described thing when it is essential to it, in reality or by consideration, and by its disappearance, the described thing loses its differentia. For example, man is described as a speaking animal, and when the attribute of speech is taken away, he loses the differentia that distinguishes him from the animal in general. If the attribute is added to the validated deed in this way, the resulting act would not become valid under Shari'ah.

An example for this is to recite the Qur'an by turns on one voice: this mode is added to the validity of recitation under Shari'ah. The same applies to the recitation in a loud voice done by some owners of small mosques.

In some cases, the extra attribute is considered subtle, which sheds doubt on the nullification of the validity of the deed. A typical example is taken from Malik "may Allah have mercy upon him" about reclining in prayer, without moving the feet, which was first invented by a famous man. It was dispraised, and when Malik was asked whether it was a fault, he answered in the affirmative. Although it is unfavorable, there was no mention that it invalidates the prayer. That is because the attribute of reclining is too weak to affect the prayer, as well as it is too subtle to decrease its completion.

As such the case should be considered, whether or not the attribute could affect it. If the attribute prevails the deed, the latter would become closer to be invalid, and if not, it would unlikely be so. But in this case, it would be questionable, and one should be precautious about doing it, since, by that consideration, it would belong to the suspicious matters.

It should be known to you that whereas the act that is added to the validated deed becomes an attribute of it, it is considered from one of the following three perspectives: by intent, by habit, or by Shari'ah.

As far as the habit is concerned, it is like the recitation and remembrance of Allah aloud on one voice in congregation, practiced by some Sufis of those days. There is a great difference between the remembrance in this mode and the remembrance that is valid under Shari'ah. They indeed are customarily opposites (rather than similar).

It is narrated by Ibn Waddah on the authority of Al-A'mash⁽¹⁾ from one of

(1) Ash-Shatharat, 1:220; At-Tahthib, 4:222.

his companions that he said: ‘Abdullah (Ibn Mas‘ud)⁽¹⁾ "Allah be pleased with him" came upon a man who was relating stories in the mosque, and saying to the audience: "Exalt Allah ten times, and affirm His Oneness ten times." On that ‘Abdullah said to them: "Are you then more guided or misled than the Companions of Muhammad "peace be upon him"? I think (that by so doing) you are more misled than them."

It is narrated on the same authority that a man used to gather the people in the mosque and say to them: "May Allah bestow mercy upon him who says "Exalted be Allah" such and such a time" and the people would say accordingly; and the man would say once again: "May Allah have mercy upon him who says "All perfect praise be to Allah" such and such a time, and they would say accordingly. ‘Abdullah Ibn Mas‘ud "Allah be pleased with him" came upon them and said: "Do you think you have been guided to something to which your Prophet "peace be upon him" had not been guided? You indeed stick to the tail of an error."

A mention was made to him of some people who used to remember Allah with the help of the pebbles in the mosque. He came to them and each had gathered a heap of pebbles in front of him to use them in remembrance. He went on throwing them with the pebbles until he drove them out of the mosque. He said to them: "No doubt, you have made a religious innovation and an injustice. Have you thought you have excelled the Companions of Muhammad "peace be upon him" in knowledge?"⁽²⁾

Those things have turned the validated remembrance from its origin, the same as said about the forbidden prayer at the unfavorable times, and performance of the obligatory prayers not at their due times. We understand from Shari‘ah that these are forbidden intentionally, and in no way could a forbidden thing be an act of worship. This fact is true also of fasting on the ‘Eed day.

It is narrated by Ibn Waddah on the authority of Iban Ibn Abu ‘Ayyash⁽³⁾ that he said: "I met Talhah Ibn ‘Ubaidullah Al-Khuza‘i⁽⁴⁾ "Allah be pleased with him" and said to him: "Some of your brethren, from among the men of Sunnah and established community, who defame no one of the Muslims, used to gather in the house of so and so one day, the house of so and so on another day, and gather on the day of the beginning of the new year according to the Persian calendar, as well as on the day of the Festival, and fast them: what is your opinion about that?" Talhah said: "That is indeed one of the strongest religious innovations. By Allah, they exalt those two days more than they do concerning their worship."

(1) Ash-Shatharat, 1:38; At-Taqrīb, 1:451.

(2) As-Suyuti, Al-Hawī, 2:3.

(3) At-Taqrīb, 1:31; Al-Jarh Wat-Ta‘dil, 2:295.

(4) At-Taqrīb, 1:379; Al-Jarh Wat-Ta‘dil, 4:474.

Then, Anas Ibn Malik "Allah be pleased with him" woke and I ascended to him and raised to him the same question I had raised to Talhah, and he gave the same reply given by Talhah, as if they agreed on it." This means that fasting those days is to exalt them, just as the Magians do, and that is what invalidates the act of worship.

It is narrated on the authority of Yunus Ibn 'Ubaid⁽¹⁾ that a man said to Al-Hasan (Ibn Abu Al-Hasan Ibn Yasar)⁽²⁾ : "O Abu Sa'eed! What is your opinion about our gathering? We are a people who never defame anyone of the Muslims. We gather in the house of so and so one day, and in the house of so and so on another day, and recite the Book of Allah and supplicate Allah for ourselves and the Muslims in general." Al-Hasan forbade such gatherings with severe forbiddance.

There are so many transmitted narrations in this respect. Of course, without that additional act, the validated deed would be acceptable, because each will have its own ruling independently.

In this issue, it is narrated by Ibn Waddah on the authority of 'Abd-Ar-Rahman Ibn Abu Bakrah⁽³⁾ that he said: I was sitting in the gathering of Al-Aswad Ibn Sari'⁽⁴⁾ and his gathering was in the rear of the mosque. He opened the recitation with Surat Al-Isra', until when he came to Allah's saying: **{And glorify Him (Allah) with great glorification}**, the attendants sitting round him raised their voices (with Takbir). Mujalid Ibn Mas'ud came reclining against his stick, and when the people saw him, they welcomed him and asked him to sit down. He said: "I am not to sit in your gathering. Although your gathering is good, you have made something before my arrival, disapproved by the Muslims. So, beware of that which the Muslims disapprove."

He appreciated the gathering for they recited the Qur'an in it. But when they raised their voices, they exceeded the due bounds of validity. Without it, the validated deed is good, and when it is joined to it, the resulting combination is not validated.

That is similar to the hearsay of Ibn Al-Qasim from Malik that the people should gather and share in reciting the same Surah, as do the inhabitants of Alexandria. He rendered it unfavorable, and rejected that it would be the conduct of the people. Ibn Al-Qasim was asked about it, and he related that Malik rendered it unfavorable, and forbade it and saw it a religious innovation.

According to another narration, he was asked about the congregational recitation in the mosque, thereupon he said: "It was not done in the past. It was newly invented. Of a surety, the later generations of this ummah would never bring anything more guided than what was brought by its early

(1) At-Taqrīb, 2:385; Al-Jarh Wat-Ta'dīl, 9:242.

(2) Ash-Shatharat, 1:136; At-Taqrīb, 1:165.

(3) Ash-Shatharat, 1:122; At-Taqrīb, 1:474.

(4) Taqrīb At-Taqrīb, 1:76; Al-Jarh Wat-Ta'dīl, 2:291.

generation. Anyway, the Qur'an in itself is good."

In his comment on that, Ibn Rushd said: "He means to recite the Qur'an regularly in the mosque in a particular mode following a particular obligatory prayer, until it becomes a habit among the people, like the practice of the people in the mosque of Cordova after the Morning prayer. But he (Malik) saw it a religious innovation.

His statement that "The Qur'an in itself is good" may give the impression that the addition of reading it in such a particular mode in the mosque in congregation is independent from the fact that the recitation of the Qur'an is good. It may also mean, and this meaning is more apparent, that the recitation of the Qur'an is good, but not in this particular mode. The evidence for that is his statement on another occasion: "I appreciate the recitation of the Qur'an only in prayers and the mosques rather than in markets and roads." He wants that the Qur'an should be recited in the very manner the righteous predecessors used to do. This indicates that the recitation by turns is unfavorable in his sight.

23.5. A Chapter On The Third Division: When The Attribute Is Apt To Join The Worship

The third division is that the attribute is susceptible to join the act of worship to the extent that it is thought to be a part of it and one of its essential attributes. This requires to forbid all means that lead to unfavorable results. Although it is agreed upon in general, it is disputable among the scholars in detail. Not all means leading to a forbidden should be prevented. The evidence for that is taken from the dispute over the transaction on credit, but even, Abu Bakr At-Tartushi relates the unanimous agreement on that kind, from deduction of certain questions the scholars discussed and prevented in order to eliminate the means that lead to unfavorable results. Let us first give examples for it, and then discuss its ruling, Allah willing.

A mention may be made of the following:

It is proven that The Messenger of Allah “peace be upon him” forbade to fast one or two days ahead of Ramadan.⁽¹⁾ The point, in the sight of the scholars, is the fear this may be considered a part of Ramadan.

It is proven that ‘Uthman "Allah be pleased with him" used not to shorten the prayer on journey. It was said to him: “Have you not shortened the prayer with The Messenger of Allah “peace be upon him”?” he said: “Yes, I have done. But now, I am the Imam of the people, and the Bedouins and desert dwellers may see me praying only two-rak’ahs, thereupon they would think it was enjoined as such.” Although shortening the prayer on journey is an act of Sunnah, or an obligatory duty, he left it for fear it may be taken as a means to something not validated by Shari’ah in the religion.

It also includes the story of ‘Umar "Allah be pleased with him" that he took ritual bath to get clean from the state of Janabah resulting from a wet dream until the day became bright. Somebody argued with him, quoting the statement of the Prophet: “Let such (as in the state of Janabah) take any of their garments in order to catch the prayer, and wash his own garment afterwards at liberty.” He said to him: “Were I to do it, it would become an act of Sunnah. No. I'd rather wash the visible traces of that, and sprinkle with water what is invisible.”

(1) It is narrated on the authority of Abu Hurairah that he said: The Prophet "peace be upon him" said: "None of you should fast a day or two before the month of Ramadan unless he has the habit of fasting (optionally and if his fasting coincides with that day) then he can fast it." See Al-Bukhari, Hadith no. 1914; Muslim, Hadith no. 1082; Abu Dawud, Hadith no. 2335; At-Tirmithi, Hadith no. 684; Ibn Majah, Hadith no. 1650; Ad-Darimi, Hadith no. 1689; An-Nasa'i 4:149; Ahmad in his Musnad, 2:234.

It is narrated on the authority of Huthaifah Ibn Asid⁽¹⁾ that he said: I caught the time of Abu Bakr and 'Umar "Allah be pleased with them" and they did not offer a sacrifice, for fear it would be thought of as obligatory."

The same is narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he said: "I do not offer a sacrifice, although I am the wealthiest of you, for fear my neighbors would think it is obligatory."

Many things like this are reported from the righteous predecessors.

Malik disliked that the six fasts of Shawwal should follow those of Ramadan. Although Abu Hanifah stopped the narration (at one of the Companions), he did not favor it, in spite of the authentic Hadith in this respect. Malik reported from those worthy of imitation that they did not fast them for fear of turning into a religious innovation (i.e. by considering them a part of the month of Ramadan).

In general, every deed which has a fundamental origin in Shari'ah should be abandoned if doing it regularly would make others consider it an act of Sunnah, in order to eliminate the means that may lead to unfavorable results. For this reason, Malik disliked the supplication of turning one's face (to the Qiblah) after assuming Ihram and before reciting the Qur'an (in prayer). He also disliked washing the hand before food, and one's putting his garment in the mosque in front of him in the row.

(1) At-Taqrīb, 1:156; Al-Jarh Wat-Ta'dil, 3:256.

24.5. A Chapter On The Fourth Division

It should be known to you that if a Mujtahid is of the opinion not to eliminate the means that may lead to unfavorable results in the matters in connection with which there is no clear text, I mean any of those included in this section, undoubtedly, his deed is validated by Shari‘ah, and whoever does it would receive a reward. But whoever stands on the opposite side, and that is the case of a lot of the righteous predecessors, from among the Companions and Tabi‘is, i.e. to eliminate all means that may lead to unfavorable results, undoubtedly, the deed would be forbidden, and its forbiddance requires that whoever does it would sin for it. But if the forbiddance goes back to something else, it would be questionable, in the sense that it is valid to say that the deed is commanded in itself, and forbidden in regard with the resulting future. So, we have two approaches to discuss the matter in issue.

The first is to stick to the forbiddance, in principal, of a certain question, like the statement of Allah Almighty: **{O you of Faith! Say not (to the Prophet) words of ambiguous import, but words of respect; and hearken (to him).}** [Al-Baqarah 104] He further said: **{Revile not you those whom they call upon besides Allah, lest they out of spite revile Allah in their ignorance.}** [Al-An‘am 108]

The Messenger of Allah “peace be upon him” forbade to join the separate kinds of property, nor separate the joined property for fear of injustice while collecting the charity that is due on each.⁽¹⁾

He “peace be upon him” forbade selling on the basis on the basis of debt⁽²⁾, which the scholars construed to be a means that may lead to forbidden usury.

He “peace be upon him” forbade that a man should be with a woman unlawful for him in seclusion.⁽³⁾

He “peace be upon him” forbade that a woman should set out on journey without a Mahram.⁽⁴⁾

He “peace be upon him” commanded the women to screen themselves from the sights of men, and ordered the men to lower their sights (from such of women as unlawful for them).

All such forbiddances and commands are based, according to the scholars, on the fear of being means that may lead to unfavorable results.

(1) It is narrated on the authority of Abu Hurairah. See Sahih Al-Bukhari, Hadith no. 5280.

(2) Zad Al-Ma‘ad, 5:721; Al-Urf Ash-Shathi, 3:19.

(3) Al-Kaba‘ir, Ath-Thahabi, 55; At-Taisir, Al-Manawi, 1:787.

(4) Sahih Al-Bukhari, Hadith no. 1086, 1087, 1088.

The forbiddance, in principal, should address only the forbidden, whatever justifiable it might be, and it is impermissible to draw it from its origin to a contiguous matter without clear evidence. Every act of worship that is forbidden is not worship at all, and had it been worship, it would have not been forbidden. The one who acts upon it indeed acts upon something not validated by Shari'ah. If, with this forbiddance, he believes that it is worship, he then has brought a religious innovation.

It should not be said that the justification itself feels the impression of contiguity, in the sense that what is forbidden is something other than what is commanded, which means that they are separable. That is because we say that if the contiguous matter becomes an essential attribute of the original deed, the forbiddance then would include both, rather than the attribute alone. That is clarified well in the second division.

The other approach deals with the fact that the means which may lead to unfavorable results take the same ruling of the results to which they lead. Here, a mention may be made of the statement of The Messenger of Allah "peace be upon him": "It is one of the greatest major sins that a man should abuse his own parents." They said: "O Messenger of Allah! Should a man abuse his own parents?" The Messenger of Allah "peace be upon him" said: "Yes, when he abuses another's father, he (the latter) would abuse his (the former's) father, and when he abuses his mother, he (the latter) would abuse his (the former's) mother (in retaliation)."⁽¹⁾ Thus, one's abusing another's parents is the same as one's abusing his own parents. That is the significance of his saying in the Hadith: "...that a man should abuse his own parents."

A mention also may be made of the story of 'A'ishah "Allah be pleased with her" with the mother of the son of Zaid Ibn Arqam⁽²⁾, in which she said: "Tell Zaid Ibn Arqam that he would invalidate his Jihad with The Messenger of Allah "peace be upon him" unless he repents."⁽³⁾ This threat applies to him who does the unlawful, rather than the major sin, as in the exhortation given

(1) Al-Bukhari, Hadith no. 5973; Abu Dawud, 5141; Ahmad in his Musnad, 1:108, 118, 152, 217, 309, 317, 2:164, 195, 201, 203, 214, 216, 4:246, 250, 254, 5:36, 38.

(2) Ash-Shatharat, 1:74; At-Taqrīb, 1:272.

(3) It is narrated on the authority of Abu Ishaq from his wife, that she entered upon 'A'ishah "Allah be pleased with her" in the presence of some women, and a woman asked her: "O Mother of Believers! I had a slave-girl, whom I sold to Zaid Ibn Arqam for eight hundred Dirhams on credit. Later, I bought her from him for six hundred Dirhams in cash money which I paid to him on the spot, and wrote upon him a deed of eight hundred." 'A'ishah "Allah be pleased with her" said: "How bad is your purchase, and how bad is his, by Allah! Tell Zaid Ibn Arqam that he would invalidate his Jihad with The Messenger of Allah "peace be upon him" unless he repents." The woman said to 'A'ishah: "Tell me: if I take back my principal, and give back to him the extra money." On that she recited: {Those who after receiving direction from their Lord, desist, shall be pardoned for the past; their case is for Allah (to judge); but those who repeat (the offence) are Companions of the Fire; they will abide therein (forever).} [Al-Baqarah 275] see As-Sunan As-Sughra, Hadith no. 2019; Al-Musannaf, 'Abd-Ar-Razzaq, Hadith no. 14812.

by Allah's saying: **{Those who after receiving instruction from their Lord, desist, shall be pardoned for the past; their case is for Allah (to judge).}** [Al-Baqarah 275]

It was revealed in connection with something other than acting upon usury. Thus, acting upon the means that may lead to usury takes the same position of acting upon usury, given that Zaid Ibn Arqam "Allah be pleased with him" and the mother of his child never intended to act upon usury, just as no rational man could intend to abuse his own parents.

If this is proven in some means that may lead to unfavorable results, it then would apply to all means, since there is no difference here between what is mentioned in name, and what is not mentioned. There is no worship or permissible imagined to be a means to something impermissible, except that it should be neither worship nor permissible.

But the forbiddance in this division takes its ranks in accordance with the unfavorable results those means may lead to. For instance, if the religious innovation is a major sin, the means that may lead to it will be so accordingly, and if it is a minor sin, the means will be so accordingly. The discussion of this issue is extensive. But let us satisfy ourselves with this hint; and success lies with Allah Almighty.

6. RULINGS OF RELIGIOUS INNOVATIONS AND THEIR DIFFERENCE IN RANK

It should be known to you that if we build our argument on the fact that the religious innovations are divided according to the five rulings, there is no problem that they are different in rank. That is because the forbiddance of unfavorableness and prohibition requires that one of them should be stronger than the other. If the permissible is joined to them, the difference will appear; and if the recommendation and obligation are included, the difference will then seem more obvious.

We have mentioned many examples for those. But here, we would not talk about those divisions in detail, and what is stronger and what is weaker thereof. That is because if it is real, any talk about it would be troublesome; and if it is unreal, we have already mentioned that it is not correct, and there would be no benefit to build on what is not correct.

Thus, if three of the five divisions are excluded: the obligation, recommendation and permissibility, we then would restrict the discussion to the remaining two, i.e. the unfavorableness and prohibition. But there is no difference in the forbiddance pertaining to them, on the basis of the fact that both lead to error, as shown in the statement of The Messenger of Allah "peace be upon him": "Beware of the matters invented (in the religion), since every religious innovation is an error, and every error leads to the Hell-fire." This is general and common to all religious innovations. The question to raise here is: do they have the same ruling?

It is proven in the fundamentals that the Shari'ah rulings are five, from which three are excluded (as far as the religious innovations are concerned). Only two remain, i.e. the unfavorableness and prohibition, which requires that the religious innovations should be divided into those two. Some religious innovations are unlawful, and some unfavorable. Since both belong to the forbidden things, the religious innovations are also subject to the same ruling.

From another point of view, the religious innovations, when reflected, are different in rank. Some are clear disbelief, like the religious innovation of ignorance referred to by the Holy Qur'an in Allah's saying: **{Out of what Allah has produced in abundance in tilth and in cattle, they assigned Him a share: they say, according to their fancies: "This is for Allah, and this is for our 'partners'! But the share of their "partners" reaches not Allah, whilst the share of Allah reaches their "partners!" Evil (and unjust) is their assignment!... They say: "What is in the wombs of such and such cattle is specially reserved (for food) for our men, and forbidden to our women; but if it is stillborn, then all have shares**

therein. For their (false) attribution (of superstitions to Allah), He will soon punish them: for He is full of wisdom and knowledge.} [Al-An'am 136, 139] He further said: **{It was not Allah who instituted (superstitions like those of) a slit-ear she-camel, or a she-camel let loose for free pasture, or idol sacrifices for twin births in animals, or stallion camels freed from work; it is blasphemers who invent a lie against Allah; but most of them lack wisdom.}** [Al-Ma'idah 102]

A mention may also be made of the religious innovation of the hypocrites, who take the religion a means to safeguard their property and benefits, and of course, that is indeed a clear disbelief.

Some religious innovations are only sins rather than disbelief, like that of Khawarij, the Qadariyyah (Anti-Fatalists), the Jabriyyah (fatalists), the Murji'ah, and such straying sects.

Some of them are only unfavorable, like, according to Malik, to follow Ramadan with the six fasts of Shawwal, to recite the Qur'an by turns, to gather for supplication (in congregation) on the night of 'Arafah, to remember the sultans in the sermons of Friday, according to Ibn 'Abd-As-Salam... to the end of those religious innovations.

Since not all religious innovation are of the same rank, it is impermissible to give them the same ruling of unfavorableness or prohibition, and judge that all are unfavorable or all are unlawful.

A third approach of discussion is that the misdeeds are divided into major sins and minor sins, in as much as they are in the essentials, the needs or the supplementary. If they are in the essentials, they then will be the greatest major sins. If they are in the supplementary, they will represent the smallest. If they are in the needs, they will lie in the middle between both extremes.

On the other hand, each of those ranks has a complementary, and by no means could the complementary be at the same level with the completed. The completed along with the complementary are like the means along with the purpose; and in no way could the means be at the same level with the purpose. That is the way the sins and violations differ in rank.

The essentials, when reflected, differ in rank, in terms of what is confirmed and what is not confirmed thereof. The soul is not in the same rank of the religion: is it not that the sanctity of the soul could be despicable in comparison with the sanctity of the religion?

For instance, the disbelief makes it permissible to kill (the disbeliever), and to safeguard the religion makes it permissible for one to expose his own self to killing and damage, by fighting the disbelievers and apostates.

Similarly, both reason and property are not in the same rank as the soul. Do you not see that killing the soul makes it permissible to kill the murderer in execution of the legal retribution? That is because killing is quite different from reason and property. The same applies to the rest.

As far as the soul is concerned, it includes different sub-ranks. Of course, cutting off an organ is not like slaying, nor is scratching like cutting off an organ, and so.

All of this is clarified well in the fundamentals.

1.6. The Religious Innovations Belong To Sins

Being so, the religious innovations belong to sins. As well as the sins are different in rank, the religious innovations also are different accordingly. Some religious innovations take place in the essentials, some in the needs, and others in the supplementary. Concerning the essentials, some take place in the soul, some in the religion, some in the offspring, some in the reason, and some in the property.

An example for what takes place in the religion is the religious innovation of the disbelievers, who changed the cult of Abraham “peace be upon him”, as stated by Allah in His saying: **{It was not Allah who instituted (superstitions like those of) a slit-ear she-camel, or a she-camel let loose for free pasture, or idol sacrifices for twin births in animals, or stallion camels freed from work; it is blasphemers who invent a lie against Allah; but most of them lack wisdom.}** [Al-Ma'idah 102]

In this respect, it is narrated on the authority of Sa'eed Ibn Al-Musayyab⁽¹⁾ that he said: “The Bahirah is a she-camel whose milk was spared for the idols and nobody was allowed to milk it. The Sa'ibah is a she-camel let loose for free pasture for their false gods, e.g. idols, etc., and nothing was allowed to be carried on it. The Wasilah is a she-camel whose ear they slit to set free for their idols because it has given birth to a she-camel at its first delivery and then again gives birth to a she-camel at its second delivery. The Ham is a stallion camel freed from work for their idols, after it had finished a number of copulations assigned for it.”

It is narrated on the authority of Zaid Ibn Aslam⁽²⁾ that he said: The Messenger of Allah “peace be upon him” said: “I surely know the first to let loose the she-camels, and change the cult of Abraham “peace be upon him”.” They asked: “Who is he, O Messenger of Allah?” he said: “Amr Ibn Luhai, the father of Banu Ka'b: I saw him dragging his intestines in the fire, and his offensive smell was harming the denizens of the Hell-fire. Furthermore, I also know the first to forbid the milk of the mulch camels (and spare it to the idols).” They asked: “Who is he, O Messenger of Allah?” he said: “A man belonging to the tribe of Banu Mudlij who had two she-camels, which he slit their ears and forbade their milk, and afterwards drank it. I saw him in the Hell-fire, with those she-camels biting him with their mouths, and striking him with their hoofs.”⁽³⁾

(1) Ash-Shatharat, 1:102; At-Taqrīb, 1:305.

(2) Ash-Shatharat, 1:194; At-Taqrīb, 1:272.

(3) Sahih Muslim, Hadith no. 2856 Sirat Ibn Hisham, 1:81.

The point here is to prohibit what is made lawful by Allah Almighty, with the intention to draw near Him, given its being lawful under the early laws and cults.

Some Companions of The Messenger of Allah “peace be upon him” intended to make unlawful for themselves what was made lawful by Allah Almighty, with the intention to devote themselves to Allah Almighty and leave the world with its means and occupations. But The Messenger of Allah “peace be upon him” rejected that conduct from them. On this occasion, Allah Almighty revealed: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma'idah 87]

This Holy Verse will be explained later, Allah willing, in the seventh section. It indicates to the fact that the prohibition of what is made unlawful by Allah Almighty, regardless of being intended to follow the path to the hereafter, is forbidden, given that by so doing, one does not object to nor make changes in Shari'ah, nor to innovate anything in the religion. Then, what do you think it to be if it is intended to make changes and alterations in the religion, as done by the disbelievers, or to make religious innovations in Shari'ah and pave the way to error?

2.6. An Example For The Soul In Regard With Tormenting And Killing It From The Indian Cults

The example for damaging and killing the soul is taken from what is mentioned about the Indian cults, in tormenting their own souls with different kinds of odious torment and hideous excruciation, and killing in many ways of which the hearts are scared, and the skin tremble. They do so in order to hasten on death for themselves to attain the high degrees, according to their allegation, and get the perfect bliss, after coming out of this temporary abode. That is based on their invalid fundamentals, which they believed in, and established their deeds on.

Al-Mas'udi and others related many things like this, which one could read if he so wills. Furthermore, killing took place among the Arabs during the pre-Islamic days, but not in this way. I mean the killing of children for two causes: one is the fear of poverty and destitution. The other is to avert the shame, they might receive by begetting the females. In this connection, Allah Almighty revealed: **{Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin.}** [Al-Isra' 31] He further said: When the female (infant), buried alive, is questioned, For what crime she was killed.} [At-Takwir 8-9] He said too: **{When news is brought to one of them, of (the birth of) a female (child), his face darkens, and he is filled with inward grief!}** [An-Nahl 58]

This killing might be out of religion and cult they innovated, or a habit and custom they used to do, in a way that they did not take as religion. But Allah Almighty condemned them for it. So, it could not be judged as a religious innovation in so much as a sin only.

However, should we find anything to support any of both probabilities according to which these Holy Verses might be construed? Here, a mention may be made of the statement of Allah Almighty: **{Even so, in the eyes of most of the Pagans, their "partners" made alluring the slaughter of their children, in order to lead them to their own destruction, and cause confusion in their religion. If Allah had willed, they would not have done so: but leave alone them and their inventions.}** [Al-An'am 137]

The Holy Verse gave two reasons for this inducement: one is to lead them to their destruction. The other is to put them to confusion in their religion, as shown in the statement: **{and cause confusion in their religion}**. This takes place only by making changes in it, distorting it, adding to or reducing from it. That is, without doubt, the innovation in religion. Their religion, at first, was that of their father Ibrahim "peace be upon him". This is one of the changes they made in the religion, like Al-Bahirah, As-Sa'ibah, setting up idols, and

their likes. Those changes became an integral part of their religion which they adopted.

That is supported by Allah's saying: **{but leave alone them and their inventions.}** He ascribed them to inventing lies (against Allah), as you see. Disobedience, as it is, is not an invention of lies (against Allah). The invention of lies takes place in the ordinance. That is, for instance, the killing as such is a part of what was brought in the religion. For this reason, Allah Almighty said after that: **{Lost are those who slay their children, from folly, without knowledge, and forbid food which Allah has provided for them, inventing (lies) against Allah. They have indeed gone astray and heeded no guidance.}** [Al-An'am 140]

Here, killing children, along with prohibition of what is made lawful by Allah, is a part of the invented lies (against Allah). Then, he concluded that they had gone astray, which is characteristic of the religious innovation, as has previously been mentioned. Thus, the Indian conduct was like that of the Arabs during the pre-Islamic days. Later on, we will discuss the opinion of Al-Mahdi Al-Maghribi in making legal the killing.

According to some commentators in their comment on Allah's saying: **{Even so, in the eyes of most of the Pagans, their "partners" made alluring the slaughter of their children}** they used to kill their children by way of vow fulfillment, therewith to draw near Allah Almighty, as 'Abd-Al-Muttalib intended to do with his son 'Abdullah, the father of the Prophet Muhammad "peace be upon him".

Prohibition of following the disbelievers in causing damage to the soul

This killing may cause a problem. It may be argued that in doing so, they might have followed and imitated their father Abraham "peace be upon him", whom Allah Almighty commanded to slay his son (Ishmael). This means that their conduct is not an invention of lies against Allah, because it goes back to an authentic fundamental origin, i.e. the deed of their father Abraham "peace be upon him".

If this argument is valid, and the deed of Abraham "peace be upon him" is interpreted to be not an ordinance for those among his offspring to come after him, that it is an invention in the religion, in this case, is very apparent, esp. in relation to the malicious allegation of slaying. That is the case with the religious innovators, who should attach themselves to a malicious allegation, as has previously been mentioned.

What applies to damaging the soul entirely, i.e. killing, applies also to damaging it in part, such as to cut off an organ, cause it to cease to function, with the intention to come near Allah Almighty. That is one of the religious innovations. That is attested by the Prophetic Hadith in which The Messenger of Allah "peace be upon him" rejected that 'Uthman Ibn Maz'un "Allah be

pleased with him" should stick to celibacy (and get himself castrated)⁽¹⁾. Castration in order to adhere to celibacy, avoid sexual relation with women (by marriage), gain money and beget offspring is rejected and condemned; and its perpetrator is a transgressor and hateful in the Sight of Allah, as stated by Allah's saying: **{O you who believe! make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah loves not those given to excess.}** [Al-Ma'idah 87] The same is true of gouging out the eye, in order not to look at what is unlawful for him.

(1) Al-Bukhari, Hadith no. 5073, 5074; Muslim, Hadith no. 1402; At-Tirmithi, Hadith no. 1083; Ibn Majah, Hadith no. 1848; Ad-Darimi, Hadith no. 2167, 2169; An-Nasa'i, 6:58.

3.6. An Example For THE Offspring From The Pre-Islamic Kinds Of Marriage

An example for the offspring is taken from the various kinds of marriage which were common among the people of the pre-Islamic days of Jahilya. They acted upon them, and took them as a religion and cult, even though they were not brought by the ordinance of Abraham “peace be upon him”. They were a part of their inventions and innovations in the religion. They included the following:

It is narrated on the authority of ‘A’ishah “Allah be pleased with her” that she said: “The marriage during the Pre-Islamic period of Jahilya was of four types:

The first was that which people know today. That is, the man would demand the hand of the woman from her guardian who would give her to him in marriage with the dower.

The second was that the man used to say to his wife after her getting clean from menses: “Send to so-and-so and let him have sexual intercourse with you”, until you become pregnant. During this period, her real husband would not touch her. After her pregnancy would become clear, then her husband would touch her if he wished. This type of marriage was intended to seek for begetting children.

The third type of marriage was that a group of men, less than ten, would go to the woman. All of them would have sexual relation with her, with the result that she would become pregnant. A few nights after she would give birth to her child, she would invite all of them; and no one could be able to flee. When they gathered, she would say to them: “You know what you had done. This child is the son of you”, calling whomever she wanted from amongst them to ascribe the child to him. Of course, he would accept and join the child to him.

As for the fourth type, a lot of men used to enter into the woman and have sexual relations with her. Such women were known as the prostitutes. When that woman would become pregnant and then give birth to her child, she would invite all men who committed adultery with her, who would come, accompanied by physiognomies. When such child was known to have belonged to a certain man, he would join him with no objection to that.

When The Messenger of Allah “peace be upon him” was sent as a Prophet, all types of marriage of The Pre-Islamic period of Jahilya were

nullified except that which people know and practice those days.”⁽¹⁾

They also had other ways of marriage not valid under any religion, such as to inherit women under coercion, to marry such of women as married by the fathers, and so. All those were dealt with as valid in their sight. But Islam cancelled out all of this, all perfect praise be to Allah.

Some of those who belonged to the deviant sects distorted the interpretation of the Book of Allah, and made it permissible to marry more than four women. They did so either by way of imitating The Messenger of Allah “peace be upon him” to whom it was made permissible to combine more than four women in wedlock, and did not pay attention to the consensus of the Muslims on the fact that this was unique to him “peace be upon him” only apart from all the Muslims; or by way of distorting the statement of Allah Almighty: **{marry women of your choice, two, or three, or four.}** [An-Nisa’ 3] They, thus, made it permissible to combine nine women in wedlock. Failed to understand the meaning and connotation of the Holy Verse, they brought a religious innovation in this ummah, for which there is no supportive evidence.

It is related from the Shiites that The Messenger of Allah “peace be upon him” cancelled out, from his household and their lovers, all deeds, in such a way that no religious assignments are due on them except what they do voluntarily, and that all proscriptions are permissible for them, like the swine, the adultery, the wine, and all such immoralities. They have women called Nawwabat, who offer their private parts in charity to the needy, out of desire for reward. They also marry what they like of women such as their sisters, daughters, and mothers, in which there is no blame on them, as well as there is no blame on them for marrying any number of women. Those belong to the ‘Ubaid, who ruled Egypt and North Africa.

It is also related from them, in this respect, that a woman might have three husbands and even more, all in the same house, and each of them has sexual relation with her, and, consequently, the child is ascribed to all of them, and each enjoys of him.

Furthermore, the advocates of licentiousness violated that veil absolutely, and claimed that the Shari’ah rulings were binding only on the laymen, unlike the private among them, who rose above this low rank. Women, absolutely, are lawful for them, and all that is on earth, in the land and the sea, is also permissible for them. They attest their claim with superstitions invented by old women unacceptable to anyone of sound mind: **{The curse of Allah be on them! How are they deluded (away from the Truth)!}** [Al-Munafiqun 4]

In this way, they became more harmful on the religion than Iblis, whom

(1) Sahih Al-Bukhari, Hadith no. 5127; Sunan Abu Dawud, Hadith no. 272.

they follow, may Allah's curse be upon him. The following description in a form of two poetic verses is true of them:

“I was a man belonging to the soldiers of Iblis and I kept doing sins and immoralities relentlessly until Iblis himself became one of my soldiers.

If he dies before me, I would improve my ways of immoralities as he would never do after me (if I die before him).

4.6. An Example For The Reason In Regard With The Judgment Of Allah That It Takes Place Only According To What He Ordained

An example for the reason is that it is clear from Shari'ah that the judgment of Allah upon the servant takes place only in accordance with what He ordained in His religion, on the tongue of His Prophets and Messengers. That is the significance of His statement: **{nor would We visit with Our Wrath until We had sent a Messenger (to give warning).}** [Al-Isra' 15] He also said: **{If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa' 59] He said too: **{The Command rests with no one but Allah: He declares the Truth, and He is the best of judges.}** [Al-An'am 57] There are many Quranic Verses and Prophet Hadiths in this respect.

A sect deviated from that foundation, and claimed that the mind should have a share in legislation, on the basis of its appreciation and depreciation of things. They innovated in the religion of Allah things which have no reference in it at all.

For example, when the wine was prohibited, and Allah Almighty revealed in connection with those who died before that prohibition, and they drank it: **{On those who believe and do deeds of righteousness there is no blame for what they ate (in the past), when they guard themselves from evil, and believe, and do deeds of righteousness - (or) again, guard themselves from evil and believe - (or) again, guard themselves from evil and do good; for Allah loves those who do good}** [Al-Ma'idah 93] some people construed it to refer to the fact that the wine is lawful, as included under the general concept of His saying: **{for what they ate (in the past)}**.

In this context, it is narrated by Isma'eel Ibn Ishaq from 'Ali "Allah be pleased with him" that he said: A group of people in Sham got alcoholic drink and Yazid Ibn Abu Sufyan⁽¹⁾ was the governor of Sham. They claimed that the wine was lawful for them, and interpreted Allah's saying: **{On those who believe and do deeds of righteousness there is no blame for what they ate (in the past), when they guard themselves from evil, and believe, and do deeds of righteousness.}** Yazid sent a message about them to 'Umar "Allah be pleased with him" who, in turn, replied to him saying: "Send them to me before they would corrupt the people in your town."

(1) Ash-Shatharat, 1:30; At-Taqrīb, 2:365.

When they came to ‘Umar "Allah be pleased with him" he consulted the people about them, and they said: “O Commander of Believers! We think they have invented lies against Allah Almighty, and ordained in the religion of Allah that which He did not permit. So, chop off their heads.” ‘Ali "Allah be pleased with him" was silent. He asked him: “What is your opinion O Abu Al-Hasan?” he said: “I think you should first seek their repentance. If they repent, then, give them eighty lashes (the corporal punishment prescribed) for drinking wine. But if they do not repent, then, chop off their heads, for they have invented lies against Allah Almighty, and ordained in the religion of Allah what He did not permit.”

Those made lawful, by false interpretation, what Allah made unlawful by the text of the Holy Book. ‘Ali "Allah be pleased with him" and the other Companions witnessed that they innovated in the religion of Allah (what He did not ordain); and that is indeed the religious innovation.

On the other hand, some Islamic philosophers gave another interpretation to it, and drank alcoholic drinks for the sake of benefit rather than amusement, and pledged to Allah for that. It seemed, in their sight, to be a medicine or a good nutrition taken as remedy or to maintain the health. This pledge is related from Avicenna.

It is reported that he used to seek the aid of alcoholic drinks to remain sleepless for getting knowledge, composition and meditation. Whenever he observed he was somewhat lazy or inactive, he would drink of it as much as would refresh him. It is also mentioned that it has a special energy which has a positive effect that pleases the soul, and makes one love wisdom, and have activity, sharp mind and good knowledge. If one used it moderately, he would be more ready to know things, understand knowledge, and have a good memory. That is why, and Allah knows best, Avicenna never gave it up. That is, indeed, an evident error, may Allah Almighty save us from it!

It should not be argued that this belongs to the use of it for the sake of remedy, in which there is a famous dispute. That is because it is reported from Avicenna that he used it as a tonic to reenergize him, maintain his health, and give him power to resist laziness and do the duties and hard works. He did not use it in the harmful diseases that could affect the bodies. The dispute addresses only the use of it for the sake of remedy. But Avicenna and his followers, in their argument, attributed lies to the ordinance of Allah, and made innovations in His religion. We have already mentioned the opinion of the licentiousness advocates about making lawful the alcoholic drinks; and success lies only with Allah Almighty.

5.6. An Example For The Property Is The Claim Of The Disbelievers That Trade Is Like Usury

An example for the property is the claim of the disbeliever that **{“Trade is like usury.”}** [Al-Baqarah 275] they made lawful to act upon it, under an invalid analogy, saying that “As well as ten (Dirhams) by which a thing could be sold to be paid within a month, could rise to fifteen in case the payment is delayed to two months, that is equal to selling a thing for fifteen (Dirhams) to be paid within two months.” Allah Almighty gave lie to their claim and said in refutation of it: **{they say: “Trade is like usury,” but Allah has permitted trade and forbidden usury.}** [Al-Baqarah 275] This was an invented matter they innovated in the religion, depending upon an invalid opinion. It was a part of their inventions they made in the transactions which were common among them, and established on risk and deception.

During the pre-Islamic days, many things were ordained in the property, like the shares to be assigned to the commanders from the booty, about which one of their poets said: “Due to you is one-fourth the booty, what you select for yourself thereof, what is robbed by the soldiers on the way before the battle, and what remains of the spoils after its distribution and each takes his share.”

Furthermore, some pieces of land were used to be taken as protected zones and no one was allowed to enter or graze his cattle in them.

Then, Islam came to cancel out this innovation, and the distribution of war spoils was revealed in the Qur’an as Allah said: **{They ask you concerning (things taken as) war spoils. Say: “(Such) spoils are at the disposal of Allah and the Messenger: so fear Allah, and keep straight the relations between yourselves: obey Allah and His Messenger, if you do believe.”}** [Al-Anfal 1] The ruling of this religious innovation then was nullified and only a few continued to apply the ruling of the pre-Islamic days, and dealt with others according to the judgments of Satan, and did not stand straight on acting upon the judgments of Allah Almighty.

It is narrated in a Prophetic Hadith that The Messenger of Allah “peace be upon him” said: “There is no protected zone except for Allah and His Messenger.”⁽¹⁾ But some people applied the ruling of the pre-Islamic days in opposition to the ruling of Allah Almighty, because they preferred this world to the obedience of Allah Almighty: **{Do they then seek after a judgment of (the Days of) Ignorance? But who, for a people whose faith is assured,**

(1) Sahih Al-Bukhari, Hadith no. 2370, 3012; Sunan Abu Dawud, Hadith no. 3083, 3084; Ahmad in Al-Musnad, 4:71,73; Ibn Hibban in his Sahih, 1:174, 7:94,139.

can give better judgment than Allah?} [Al-Ma'idah 50]

However, those Quranic Verse and Prophetic Hadith, along with the similar ones that have the same meaning, affirm a foundation in Shari'ah, too well-established to be contradicted, too general to be specific, and too absolute to be restricted. That is, all persons competent for religious assignments, be they young or old, noble or ignoble, eminent or base, are equal in the rulings of Shari'ah. whoever deviates from this foundation has deviated from the Sunnah to the religious innovation, and from the straightness (of the way) to the crookedness (of the path).

There are important details under this brief reference, and they may be mentioned later, Allah willing. Some of them have been referred to earlier.

6.6. The Religious Innovations Are Not Of The Same Rank In Condemnation And Forbiddance

The religious innovations then are not of the same rank in regard with their condemnation and forbiddance, since some of them are unlawful and others unfavorable. However, the attribute of error extends over them all, as shown in the statement of The Messenger of Allah “peace be upon him”: “Every religious innovation is an error.”

But here, there is a problem. It is well-known that the error is the opposite of guidance, as clarified by Allah’s statement: **{These are they who have bartered guidance for error: but their traffic is profitless, and they have lost true direction.}** [Al-Baqarah 16] and: **{And those whom Allah leaves to stray, no one can guide.}** [Ar-Ra’d 33] **{And such as Allah does guide there can be no one to lead astray. Is not Allah Exalted in Power, (Able to enforce His Will), Lord of Retribution?}** [Az-Zumar 37] there are other many Quranic Verses in which the guidance is opposed to error, without anything in the middle between them in Shari’ah. this indicates that the unfavorable religious innovations are deviation from guidance.

Similar are the violations, which are not religious innovations, I.e. such unfavorable acts as to turn a bit in the prayer with no need, to pray while being under the pressure of the two evils (urination and excrement), etc.

According to a Hadith: “We (women) were forbidden to follow the funeral processions, but it (such forbiddance) was not made binding upon us” (since it is undesirable, not unlawful for women to visit the graves).⁽¹⁾

it is not right to describe the perpetrator of the unfavorable as violating or disobedient, although obedience is the opposite of disobedience, and the one who does the recommended is an obedient because he does something he is commanded to do. If the opposition is considered, it requires that the one who does the unfavorable should be a disobedient, because he does something he is forbidden to do. But this is not right, since the perpetrator of the unfavorable is not called a disobedient. This means that the one who commits an unfavorable religious innovation is not called straying, otherwise, there is no difference between the consideration of opposition between obedience and disobedience, and between guidance and error.

As well as the unfavorable religious innovation is called an error, the

(1) It is narrated on the authority of Umm ‘Atiyyah. See Sahih Al-Bukhari, Hadith no. 1278, 1313, 5341; Sahih Muslim, Hadith no. 938, 1401; Sunan Abu Dawud, Hadith no. 3167; Sunan Ibn Majah, Hadith no. 1577; Ad-Darimi, Hadith no. 2169; Irwa’ Al-Ghalil, Al-Albani, Hadith no. 1782; Ahmad in Al-Musnad, 6:408.

unfavorable act is called a disobedience, otherwise, the unfavorable religious innovation should not be called an error, just as the unfavorable act should not be considered a disobedience.

But since it has already been mentioned that the term error extends over all religious innovations, whatsoever, this requires that the unfavorable act, whatsoever, should be regarded a disobedience. That is quite invalid, and what ensues therefrom is also invalid.

In reply to that, it is a well-established fact that all religious innovations are errors, as has already been explicated. The opposition you claim to be necessary concerning the unfavorable act is not binding. By deduction of the Shari'ah rulings, we find that there is something in the middle, agreed upon, between obedience and disobedience, i.e. the permissible. It is not obedience in terms of being permissible.

The command and forbiddance then have something in the middle between them, which is based on neither command nor forbiddance, in so much as it is based on the freedom of choice.

The unfavorable, in the literacy of the fundamentalists, has two sides:

The side which is forbidden, in which it shares the unlawful. It may be thought, though falsely, that the violation of what is forbidden because of unfavorableness is disobedience, as far as it shares the unlawful in the absolute violation.

The other side, which cancels the absoluteness, shares the permissible in the sense that its perpetrator is neither condemned, nor sinful nor worthy of punishment under Shari'ah. in this point, it disagrees with the unlawful. this is why such is not called disobedience.

Being so, if there is something in the middle between obedience and disobedience to which the unfavorable religious innovations may be attributed, we should put into consideration the statement of Allah Almighty: **{apart from Truth, what (remains) but error? How then are you turned away?}** [Yunus 32] there is only the truth which represents the guidance, and the error which represents the falsehood. Thus, the unfavorable religious innovations are errors.

Second, to affirm the division of the unfavorable religious innovations is debatable. Let no one be deceived by the fact that the early jurists describe some religious innovations as unfavorable. The truth of the matter is that the religious innovations are not of the same rank in regard with their condemnation, as has previously been mentioned. As to the unfavorableness because of abstention in the religious innovations according to which there is neither sin nor blame upon its perpetrator, there is almost no evidence for it from Shari'ah or from the words of the Imams in particular.

On the contrary, there are evidences in opposition to that in Shari'ah. that is because The Messenger of Allah "peace be upon him" rejected the words of the three men one of whom said: "I will offer prayer throughout the night

forever." The other said: "I will fast throughout the year and will never break my fast." The third said: "I will keep aloof from women and will never marry." On that he "peace be upon him" came to them and said: "Are you the same people who said so-and-so? By Allah, I am more submissive to Allah and more afraid of Him than you; yet I fast and break my fast, I do sleep and I also marry women. So he who turns away from my Sunnah, is not from me (not one of my followers)."⁽¹⁾

By this sentence, he disapproved of their behavior severely, although all they intended to do was only to do a recommended or leave a recommended for another, and so.

Mentioned also in this context is the situation when The Messenger of Allah "peace be upon him" saw a man standing in the sun, he asked: "What is wrong with this man?" They (the people) said: "he has vowed that he will stand in the sun and never sit down, and he will never come in the shade, nor speak to anybody, and will fast." On that the Prophet "peace be upon him" said: "Order him to speak and let him come in the shade, and make him sit down, but let him complete his fast."⁽²⁾ In his comment on that, Malik said: "He commanded him to complete that in which he obeys Allah, and leave that in which he disobeys Him."

This is supported by the narration of Al-Bukhari on the authority of Qais Ibn Abu Hazim⁽³⁾ that he said: Abu Bakr "Allah be pleased with him" visited a woman belonging to (the tribe of) Ahmas called Zainab (Bint Al-Muhajir) and found that she refused to speak. He asked: "Why does she not speak?" The people said: "She has intended to perform Hajj without speaking." He said to her: "Speak, for it is illegal not to speak, as it is an act of the pre-Islamic days of Jahilya..." to the end of the Hadith.⁽⁴⁾

In his comment on the statement of The Messenger of Allah "peace be upon him": "Whoever vows to be obedient to Allah Almighty should then be obedient to Him, and whoever vows to disobey Him should not disobey Him"⁽⁵⁾ Malik said: "That is that a man vows to walk on foot to Sham or Egypt or so, to the end of those things in which there is no obedience to Allah Almighty, or that he will not speak with so and so, etc: there is no blame on him if he speaks with him, because there is no obedience to Allah in those things. But one should fulfill any vow in which there is obedience to Allah

(1) It is narrated by Al-Bukhari, Hadith no. 5063; 'Abd-Ar-Razzaq in his Musannaf on the authority of Al-Hasan: Mursal [See Subul Al-Huda War-Rashad 11:426] see also Ahmad in his Musnad, 2:158, 3:241, 259, 285, 5:409; Ad-Darimi, Hadith no. 2168.

(2) Al-Bukhari, Hadith no. 6704 on the authority of Ibn 'Abbas; Abu Dawud, Hadith no. 3300 on the authority of Anas Ibn Malik; Ibn Majah, Hadith no. 2136; Malik in his Muwatta', 6.

(3) Shatharat Ath-Thahab, 1:112; At-Taqrir, 2:127.

(4) Sahih Al-Bukhari, Hadith no. 3834.

(5) It is narrated on the authority of 'A'ishah: Al-Bukhari, Hadith no. 6318, 6700; Malik in Al-Muwatta', 8.

Almighty, such as to walk to the House of Allah, to pray, to fast, to give in charity, etc: everything in which there is obedience to Allah is due on the one who vows to do it.”

Consider how he made standing in the sun, abstention from speaking, and walking on foot to Sham or Egypt as sins, although they are, in themselves, permissible things. But since they were dealt with as ordained acts of worship, they turned into sins in the sight of Malik. This concept is supported by the statement of the Prophet “peace be upon him”: “Every religious innovation is an error.” All require sinning and threatening of punishment; and that is the characteristic of the unlawful.

It is narrated by Ibn Al-‘Arabi on the authority of Az-Zubair Ibn Bakkar that he said: I heard Malik saying to somebody who came to him and said: "O Abu ‘Abdullah! from where should I assume Ihram?" he said: "From Thul-Hulaifah, where The Messenger of Allah “peace be upon him” had already assumed Ihram." He said: "but I like to assume Ihram from the mosque." He said: "Do not do so." He said: "I like to assume Ihram from the mosque, near the grave." He said: "Do not do so, for I fear you will be put to temptation." He said: "Which temptation do you mean? It is but a few miles I will increase." He said: "Which temptation is greater than your belief that you have preceded to a virtue of which The Messenger of Allah “peace be upon him” fell short? I heard Allah Almighty saying: **{then let those beware who withstand the Messenger's order, lest some temptation befall them, or a grievous Penalty be inflicted on them.}** [An-Nur 63]

You see how he feared Fitnah for him, that he should assume Ihram from a blessed spot, more noble than which there is no place, i.e. the mosque and the grave of The Messenger of Allah “peace be upon him”. But since it is farther than the Miqat, he then will exert greater effort, with the intention to please Allah Almighty and His Messenger “peace be upon him”. He clarified that what one regards with ease at first may put him to trial in the world and the hereafter. He attested his claim with the Quranic Verse mentioned above. Anything like this is included, in the sight of Malik, under its implication. Where then is the unfavorableness because of abstention in those things which seem easy at the first glance?

According to Ibn Al-Majishshun⁽¹⁾ : I heard Malik (Ibn Anas)⁽²⁾ "may Allah have mercy upon him" having said: "Verily, the Tathwib (in the Athan for Fajr prayer) is an error." He further said: “Whoever invented a religious innovation in Islam on which the righteous predecessors were not, has, indeed, claimed that Muhammad “peace be upon him” had betrayed the message. That is because Allah Almighty says: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as**

(1) Tabaqat Ibn Sa’d, 5:442; Al-Jarh Wat-Ta’dil, 5:358.

(2) At-Taqrīb, 2:223; At-Tathkirah, 1:207.

your religion.} [Al-Ma'idah 3] What was not a part of religion on that very day, should not be considered a part of the religion today (or at any time)."⁽¹⁾

The Tathwib he disliked was that whenever the Mu'aththin pronounced the call to prayer and the people delayed to come, he would say, in the period between Athan and Iqamah: "The prayer has been established! Come to prayer! Come to success!" that is the invented Tathwib, according to the opinion of Ishaq Ibn Rahawaih⁽²⁾.

After transmitting this from Sahnun, At-Tirmithi said: "The Tathwib meant by Ibn Rahawaih is that which the scholars disliked, and it was invented after The Messenger of Allah "peace be upon him". Everyone could regard this phrase easy, at the first glance, because it is but to remind the people of the prayer.

The story of Subaigh Al-'Iraqi in this issue shows that meaning very clearly. It is narrated by Ibn Wahb on the authority of Malik Ibn Anas that he said: Subaigh used to go round with the Book of Allah saying: "Whoever seeks understanding in religion, Allah then endows him with comprehension in the religion; and whoever seeks knowledge, Allah Almighty grants him knowledge." 'Umar Ibn Al-Khattab "Allah be pleased with him" seized him and beat him with the green leaf stalks and then put him into prison. When he recovered from his injuries he brought him out and beat him once again. He said to him: "O Commander of Believers! If you like to kill me, then, put an end to my life now, otherwise, you have removed the disease from me, and may Allah Almighty cure you." On that 'Umar "Allah be pleased with him" left him.

It is narrated by Ibn Wahb on the authority of Malik that he said commenting on that: "'Umar Ibn Al-Khattab "Allah be pleased with him" beat Subaigh when he received the news that he was asking so many questions about the Qur'an and other religious matters."

He beat him because he asked about many things in the Qur'an upon which no act would be established, such as Allah's saying: **{By the (Steeds) that run, with panting (breath), And strike sparks of fire, And push home the charge in the morning, And raise the dust in clouds the while, And penetrate forthwith into the midst (of the foe) en masse}** [Al-'Adiyat 1-5] and: **{By the (Winds) Sent Forth one after another (to man's profit); Which then blow violently in tempestuous Gusts, And scatter (things) far and wide; Then separate them, one from another, Then spread abroad a Message, Whether of Justification or of Warning.}** [Al-Mursalat 1-6] and their likes.

Of course, one is beaten for a crime that goes beyond the unfavorable because of abstention. Neither the blood nor the honor of a Muslim is

(1) Tathkirat Al-Mu'tasi pp50, 380; Al-I'lam Bi Mukhalafat Al-Ittifaq Wal-I'tisam p13.

(2) At-Taqrīb, 1:54; At-Tathkirah, 2:433.

impermissible just for doing anything unfavorable only because of abstention. He seemed to have beaten him just for fear he would make innovations in the religion, and engage in that upon which no act is established, and this would become a means to delve into the unclear and imprecise in the Qur'an.

For this reason, when 'Umar Ibn Al-Khattab "Allah be pleased with him" read Allah's saying: **{And Fruits and Abb}** [Abasa 31], he said: "We know the fruits; then, what is the Abb?" then he said: "No doubt, we have not been commanded (to ask such questions in the Qur'an)." According to another narration, he said: "We have been forbidden from ostentation."

It is narrated by Ibn Wahb on the authority of Al-Laith, concerning the story of Subaigh that he ('Umar) beat him twice, and when he intended to beat him for the third time, Subaigh said to him: "If you like to kill me, kill me in a reasonable manner; and if you like to remedy me, then, (you should know that) I, by Allah, have recovered." He left him, and gave him leave to go back to his territory, and sent to Abu Musa Al-Ash'ari⁽¹⁾ "Allah be pleased with him" (his appointed governor) to prevent the Muslims from sitting with him. It was so difficult upon the man that Abu Musa sent back to 'Umar informing him that he had become alright. On that 'Umar sent to him to permit the Muslims to sit with him.

Many are the witnesses to this fact, all of which indicate that what seems easy of the religious innovations in the sight of the people is not easy at all, as Allah says: **{you thought it to be a light matter, while it was most serious in the sight of Allah.}** [An-Nur 15]

On the other hand, it is true that the scholars describe as unfavorable the forbidden matters, they do not mean only the unfavorable because of abstention. This term was invented by the later scholars in order to differentiate between both: they describe as unfavorable only what is unfavorable because of abstention, and as unlawful and forbidden the unfavorable because of prohibition.

It was not the habit of the earlier generation to describe as lawful and unlawful those things which were not addressed by a clear text. They avoided this judgment for fear of the significance of Allah's saying: **{But say not - for any false thing that your tongues may put forth - "This is lawful, and this is unlawful," so as to ascribe false things to Allah. For those who ascribe false things to Allah, will never prosper.}** [An-Nahl 116]

So, if you find in the speech of the early generation, concerning the religious innovations, such expressions as "I dislike this", "I do not like this", or "That is unfavorable", do not ascertain that they intend what is unfavorable only because of abstention. If there is evidence for the fact that all religious innovations are errors, then, how should one consider the unfavorable because of abstention thereof? It is so, except in case they describe as unfavorable only

(1) Ash-Shatharat, 1:53; At-Taqrīb, 1:441.

that which has a fundamental origin in Shari'ah, and, being counteracted by another matter considerable in Shari'ah, becomes unfavorable because of it, not because it is an unfavorable religious innovation. This issue has many details to be discussed later, Allah willing.

Third, the religious innovation, in nature, be it significant or insignificant, contradicts the unfavorable from many perspectives:

The one who commits the unfavorable intends to fulfill his immediate desire and lust, relying on the pardon of Allah, and the fact that there is no blame, under Shari'ah, on him for doing it. He then is nearer to covet of the mercy of Allah Almighty. His contract of faith does not change even by committing it, because he believes that the unfavorable is unfavorable, just as he believes that the unlawful is really unlawful, even though he may commit it. He, in fact, fears Allah, and hopes for His mercy; and both fear and hope are two branches of faith.

Similarly, the one who commits the unfavorable sees that leaving it is preferable than doing it; and that it is his evil enjoining self which has made it alluring to him to do it. He wishes not to do it. Every time he remembers, he becomes heart-broken, and covets of giving it up, whether or not he starts to give it up accordingly.

On the opposite side stands the perpetrator of even the least religious innovation. He appreciates what he invents and, more precisely, sees it preferable than what is ordained for him by the lawgiver. Where are then his fear and hope, given that he claims that his way is more guided, and his cult more entitled to be followed?

If his claim is but a malicious allegation, the Shari'ah witnesses, with the Quranic Verses and Prophetic Hadiths, that he follows his inclination. This question will be discussed in detail later, Allah willing.

In the beginning of the second section, many things have been mentioned, which make serious the matter of the religious innovations in general. Other things have been mentioned in its end, showing clearly the great difference between them and the unfavorableness because of abstention. You could go back to them once again, in order to know the truth of what I refer to here; and success lies with Allah Almighty.

In sum, there is no similarity between the unfavorable deeds, and even the least religious innovation.

7.6. The UNLAWFUL Is Divided Into Major And Minor

The unlawful is divided in Shari'ah into the minor and major, as shown in the science of religious fundamentals. The same applies to the unlawful religious innovations: that is, they are divided into minor and major, in accordance with their disparity in degree, as has previously been mentioned. This goes back to the fact that the sins are also divided into the minor and the major. However, the scholars disputed over the difference between them, from many points of view. But all their statements in this respect could not meet the purpose to the full.

The closest approach in this respect is that is mentioned in Kitab Al-Muwafaqat. That is, the major sins are restricted to those which breach the essential necessities considerable in every religion and cult. Those are the religion, the soul, the offspring, the reason and the property. All what is addressed by text goes back to those, and what is not addressed by text are open to consideration. It is that which gathers what is and is not mentioned by the scholars.

We say also about the religious innovations that such of them as breaches any of those essential necessities is a major religious innovation; and such of them as does not do is a minor religious innovation. Many examples have already been mentioned for this in the beginning of this section. As well as the major sins are restricted elaborately, as referred to in this book, the major religious innovations are also restricted as such.

But at that point, there rises a great problem against the religious innovators, too difficult to remove in order to affirm the minor thereof. That is to say that all religious innovations breach the religion itself, either in essence or in branch. They have indeed been invented to join the validated, by way of addition to it, reduction from it, or making change in its content. That is not unique to the acts of worship rather than the habits and customs, if we apply them to the habits and customs. If they, entirely, breach the religion, they, in fact, are to breach the first essential necessity, i.e. the religion. It is proven in an authentic Hadith that "Every religious innovation is an error." He "peace be upon him" said also: "The Jews were divided into seventy-one sects; and so were the Christians; and my (Muslim) ummah will be divided into seventy-three sects (all of which will be in fire except for one)." ⁽¹⁾ That is a strong threat

(1) Abu Hurairah. [Abu Dawud, Hadith no. 4596 and 4597 on the authority of Mu'awiyah; At-Tirmithi, Hadith no. 642; Ahmad 2:332, and on the authority of Anas, 3:120; Ibn Majah, Hadith no. 3991, 3992; 'Abd-Ar-Razzaq in his Musannaf, 10:156; At-Tabarani in

to all in detail.

It is true that they may be disparate in rank, in terms of breaching the religion, this would not, by no means, turn them from being major ones. The same applies to the five pillars, i.e. the fundamentals of religion, which are disparate in order. To breach the two testimonies of faith is not like to breach the prayer, nor is to breach the prayer like to breach the obligatory charity, nor is to breach the obligatory charity like to breach the fasting of Ramadan, and the same is true of them all in relation to invalidation. Every one of those is a major sin. Does this approach mean that every religious innovation is a major one?

As well as this approach confirms what we have already mentioned, it could also be used to affirm the minor one from many perspectives:

The first is to say that to breach the essential necessity of the soul is a major sin, without problem. But it is of different levels, the least of which could not be called a major sin. Killing is a major sin, indisputably. Cutting off the organs without taking the life is a less major sin. To cut off only one organ is a major sin lesser than it, and so on until it ends up to the slap on the face, and the least scratch one could imagine, in the like of which could not be described as a major sin.

Similarly, the scholars say about theft that it is a major sin because it is to breach the essential necessity of the property. But if it takes place only in a morsel of food, or a single grain, it is considered a minor (rather than a major) sin.

It is narrated on the authority of Huthaifah "Allah be pleased with him" that he said: "The trust will be the first thing you will lose of your religion, and the prayer will be the last. The hantholds of faith will be broken one by one, and the women will come to pray as menstruating." Then he resumed: "Until only two sects will remain, out of many sects. One of them will say: "What is the matter with the five (obligatory) prayers? Those who were before us went astray. Allah Almighty said: **{And establish regular prayers at the two ends of the day and at the approaches of the night: for those things that are good remove those that are evil: be that the word of remembrance to those who remember (their Lord).}** [Hud 114] do not perform but only three (prayers)." The other will say: "We have faith in Allah like the faith of the angels. There is no disbeliever among us." It is incumbent upon Allah to gather all them in the company of Ad-Dajjal."⁽¹⁾

This tradition, whatever authentic or inauthentic its narration might be, is one of the examples for the question.

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Al-Awsat on the authority of Anas, 1:209-210, Hadith no. 1052, 1053, 1054, 1055, 1056, 1057; Ibn Hibban and Al-Hakim who rendered it authentic: see *Kashf Al-Khafa*].

(1) Ahmad in his *Musnad*, 5:251.

In this narration, he referred to the fact that towards the end of the time, the people would perform only three prayers; and the women would pray while menstruating. He seems as if he means this will happen because of hair-splitting and seeking the precaution which is beyond the Sunnah. This rank is less than the former.

It is related by Ibn Hazm that some people claimed that Zhuhr prayer is five than four rak'ahs. It is also related that Ibn Al-Qasim said: I heard Malik having said: The first to make the innovation of reclining on one leg in prayer, in order not to move his feet, was a man recognized and named, but I do not like to mention his name. he was dispraised among the people. He said: This was criticized from him. This act is unfavorable.

According to Ibn Rushd, "It is permissible, in the sight of Malik, that a man would alternate between his feet in the prayer. But he disliked to join them, in order not to depend on one apart from the other. That is because this is not among the limits of the prayer, since it was not reported from The Messenger of Allah "peace be upon him" nor from anyone of the righteous predecessors and the Companions. It is rather one of the newly invented matters."

Although such is regarded, by its perpetrator, one of the good things he does in the prayer, regardless of being not reported in any tradition, it will be considered one of the major religious innovations, as is the case with the fifth rak'ah of Zhuhr prayer. But even the like of it is regarded one of the minor religious innovations, in case we admit that by the term 'unfavorableness', it is intended only abstention. If that is proven in many examples about the essential necessity of religion, the like of it could be imaginable in all religious innovations which are different in rank. As well as The minor are established in the sins, they are also established in the religious innovations.

The second is that the religious innovations are divided into universal and partial in Shari'ah. this means that the breach caused in Shari'ah by the religious innovation may be universal or partial.

The universal is like the religious innovation of reason-based appreciation and depreciation, the religious innovation of the denial of the Sunnah traditions and being limited only to the Qur'an, the religious innovation of the Khawarij in their claim that "There is no judgment but to Allah Almighty", and the like of those which include almost all fields and parts of Shari'ah without exception.

The partial addresses some branches rather than others, like the religious innovation of Tathwib in the Athan for the prayer, which Malik described as an error, the religious innovation of pronouncing Athan and Iqamah in both 'Eeds, the religious innovation of reclining on one leg only in the prayer, and the like of those. This kind does not go beyond the very part or field it addresses.

The first division (the universal) is regarded among the major sins, and

could be included under the seventy-two sects. The threat of punishment mentioned in the Book and the Sunnah, in this sense, implies them rather than others. What is beyond those belongs to the minor misdeeds for which unlimited pardon is expected.

The third is that it is proven that the sins are divided into major and minor. Undoubtedly, the religious innovations belong to and are a kind of sins, according to the previously mentioned evidences. This requires that the religious innovations also should be subject to the same division. They could not be specific to the major sins only with no supportive evidence, otherwise, the early scholars would have excluded them from the division they made of the sins into major and minor. But they gave no importance to this exclusion, and rather made the division imply all their kinds.

It may be argued that this disparity does not prove the minor under any circumstances. It only indicates that the religious innovations differ in the degree of strength: some are heavy and others heavier, some are light and others lighter and so. But does the light descend to the point at which the religious innovation becomes a minor sin?

This is debatable. The division of sins, rather than religious innovations, into major and minor is self-evident. As for the religious innovations, two important points are proven:

The first is that the religious innovation opposes and challenges the lawgiver, according to which the religious innovator holds himself in the position of him who mends the Shari'ah rather than is satisfied with what has been ordained for him.

The second is that the religious innovation, be it much or little, is an addition to, reduction from or change in the authentic foundation. It may be solitary or joined with, and thus corrupt what is validated. If anyone does so intentionally in Shari'ah, he would become a disbeliever. To add to, reduce from, or change in it, be it significant or insignificant, is disbelief. Whoever does so depending upon an invalid interpretation, or a false opinion, and joins it to what is validated is rendered a disbeliever. That is because all of those, be they much or little, significant or insignificant, are intolerable crimes against Shari'ah.

That is supported by the evidences of condemnation of all religious innovations without exception. There is no difference, in this respect, between a universal and a partial religious innovation. That is the answer to the first and second questions.

As for the third question, there is no proof in it because of the statement of The Messenger of Allah "peace be upon him": "Every religious innovation is an error" and the speech of the righteous predecessors, in reference to condemnation of them all in general. It is clear then that they are not subject to the same division of the sins. Putting to consideration what has been mentioned in the second section, it seems obvious to you that there is no

difference in them.

The closer to right is to say in this issue that every religious innovation is major and grave in view of exceeding thereby the limits of Allah Almighty. But as grave and serious they might be, they are disparate in rank, in the sense that some are graver than others, because some entail more severe punishment than others, and some are of greater evil consequences than others. As well as the acts of worship, in regard with following the Sunnah, are divided into the excellent and the superior, for their benefits are divided into the perfect and the more perfect, the religious innovations, in turn, are divided, because their evil consequences are divided into the vice and the more vicious. A thing may be great in itself, even though it seems small compared with that which is greater.

This opinion has already been adopted by the Imam of both Sanctuaries, but in his talk about the division of the sins into major and minor. He said: "What is satisfactory in our sight is that every sin is grave and serious in regard with the opposition of Allah Almighty. For this reason, it is said that the disobedience of Allah is graver than the disobedience of the servants. But in relation to each other, they are disparate in rank." Although the speech of this Shaykh may not befit the sins, it seems relevant to the religious innovations.

So, let not one consider only the ease of the matter in regard with the religious innovation, whatever small it might be in form. Nay! Let one consider only how a religious innovation conflicts Shari'ah, defames it, and accuses it of imperfection and need to be perfected by that religious innovation. Unlike are the other sins which do neither accuse Shari'ah of shortage or imperfection. The sinner tries to deprive himself of the sin, and acknowledges of his violation.

In sum, the sin is a violation in deed committed by a competent for religious assignment of what he thinks to be valid of Shari'ah. but the religious innovation is a violation in the belief that Shari'ah is perfect. That is the context in which Malik Ibn Anas said his famous statement: "Whoever invented a religious innovation in Islam on which the righteous predecessors were not, has, indeed, claimed that Muhammad "peace be upon him" had betrayed the message. That is because Allah Almighty says: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma'idah 3] What was not a part of religion on that very day, should not be considered a part of the religion today (or at any time)." ⁽¹⁾

A mention also may be made of his statement to somebody who came to him and said: "O Abu 'Abdullah! from where should I assume Ihram?" he said: "From Thul-Hulaifah, where The Messenger of Allah "peace be upon him" had already assumed Ihram." He said: "but I like to assume Ihram from the

(1) Tathkirat Al-Mu'tasi pp50, 380; Al-I'lam Bi Mukhalafat Al-Ittifaq Wal-I'tisam p13.

mosque." He said: "Do not do so." He said: "I like to assume Ihram from the mosque, near the grave." He said: "Do not do so, for I fear you will be put to temptation." He said: "Which temptation do you mean? It is but a few miles I will increase." He said: "Which temptation is greater than your belief that you have preceded to a virtue of which The Messenger of Allah "peace be upon him" fell short? I heard Allah Almighty saying: **{then let those beware who withstand the Messenger's order, lest some temptation befall them, or a grievous Penalty be inflicted on them.}** [An-Nur 63]

Is it then right to say that some religious innovations are minor (as well as others major)?

The answer is that it could be right but after a deep verification in the question. However, the religious innovator may or may not know that what he commits is a religious innovation. The one who knows that it is a religious innovation is of two kinds: the Mujtahid who strives to deduce and legislate it; and the imitator who imitates him in it.

Anyway, interpretation is required here, if we like to judge on him with the judgment of Islam. That is because he conflicts the lawgiver, and opposes the Shari'ah by addition to it, reduction from it, or distortion of it. So, interpretation is required, such as to say: "It is a religious innovation, but it is appreciated", or to say: "It is a religious innovation, but I have seen so and so, the virtuous man, having acted upon it." But he does so to serve an immediate fortune, just like the one who commits a sin only to serve his momentary desire, for fear his fortune may be lost, or in flight from the fear for his fortune, or from objection to it in following the Sunnah, and so, as is the case today with many to be mentioned.

The one who does not know, in case he is the inventor of the religious innovation, could not think it to be a religious innovation. It is, in his sight, of those things that join the validated matters, like the claim of him who fasts Monday because The Messenger of Allah "peace be upon him" was born on Monday; or the claim of him who joins the twelfth of Rabie' Al-Awwal with the days of 'Eeds because it is the date of birth of The Messenger of Allah "peace be upon him"; or the claim of him who makes listening and singing among the things that draw one near Allah Almighty, since it revives the good states of Sunnah; or the claim of him who likes to gather for congregational supplication after each obligatory prayer, because this case might have happened only once.

One also may invent false Hadiths in Shari'ah, under claim to support the Sunnah of Muhammad "peace be upon him". When it is said to him: "You attribute lies against him, given his statement "Whoever attributes lies against me intentionally, let him occupy his seat in the fire (of Hell)"⁽¹⁾, he will say:

(1) Al-Bukhari, Hadith no. 106-110, 3461; At-Tirmithi, Hadith no. 2257, 2659-2661, 2669, 2951; Ibn Majah, Hadith no. 33; Ad-Darimi, Hadith no. 231-238; Ahmad in his Musnad,

“Nay! I do not attribute lies against him. But I rather attribute lies in his favor.”

Another may reduce things from Shari‘ah, out of interpretation of it. For example, Allah Almighty says in condemnation of the disbelievers: **{But they have no knowledge therein. They follow nothing but conjecture; and conjecture avails nothing against Truth.}** [An-Najm 28] He thus relegates the solitary Hadiths and their likes, under the claim that the solitary story is but a conjecture. All of this belongs to interpretation.

The same is true of the imitator, for he says: “So and so, (the inventor) acts upon and praises such and such a deed”, like taking the singing a part of Sufism under the claim that some leading Shaykhs of Sufism listened to singing, and experienced affectation of passion on it, and some of them died because of it. Others tear the clothes out of strong affectation of passion by dancing and so, just because some of their Shaykhs did it in the past. Such things take place, more often, among those who claim to belong to Sufism.

They may attest their argument with such Shaykhs as Al-Junaid, Al-Bistam, Ash-Shibli, and others, rather than to attest it with the Sunnah of Allah and His Messenger “peace be upon him”, in which there is no blemish, if it is transmitted by upright trustworthy and honest people, and explained by those fit for understanding and learning it. But they do not acknowledge they violate the Sunnah in so much as they stick to interpretation, because no one belonging to Islam likes to declare that he violates the Sunnah in essence.

Thus the statement of Malik: “Whoever invented a religious innovation in Islam on which the righteous predecessors were not, has, indeed, claimed that Muhammad “peace be upon him” had betrayed the message”, and his reply to him who intended to assume Ihram from the Prophetic mosque: “Which temptation is greater than your belief that you have preceded to a virtue of which The Messenger of Allah “peace be upon him” fell short?” should be construed to be a compulsion. It is as if he liked to say: “Your statement then entails such and such.”

Whether or not the doctrine entailment is considered a doctrine in itself is disputable among the fundamentalists. According to some of our Shaykhs and verifiers, the doctrine entailment is not a doctrine in itself. That is because the foe in debate always rejects it strongly. At that point, the religious innovation becomes equal to the sin in terms of being divided into major and minor.

On the other hand, the religious innovations are divided into two kinds: universal and partial.

The universal religious innovations are those which include all branches and fields of Shari‘ah. their examples are the religious innovations of the seventy-three (deviant) sects. They are universal rather than partial, as will be clarified later, Allah willing.

The partial are those which address a certain branch or field apart from others. Those are not included under the threat of the Hell-fire, regardless of being described as errors. Of course, this threat does not involve the stealing of a morsel of food or a single grain and so, regardless of being included under the crime of theft, in so much as it involves the crime in its critical state, when the stolen thing amounts the Nisab (the minimum limit required) for considering it a theft. The proofs are not clear for them all. Do you not see that the special religious innovations are not apparent among the men of partial religious innovations mean such religious innovations as the division and leaving the group (of Muslims). The partial always take place in the slips and (unintentional) faults, in which case, following the inclination, given the interpretation on the basis of which it is made, does not address any of the branches. The evil resulting from the partial is not the same as the evil resulting from the universal.

Being so, if two attributes gather in a religious innovation, i.e. being partial, and being made by interpretation, it will be valid to say that it is a minor religious innovation; and Allah knows best.

The example for it is the issue of him who makes a vow to fast standing without sitting at all, in the sun without seeking the shade (to protect himself from the scorching heat); and the one who forbids to himself anything made lawful by Allah Almighty, like sleeping, getting the pleasant food, having sexual relations with women (lawful for him), or eating during the day, and the like of those things some of which have been already mentioned, and others to be mentioned later, Allah willing.

But even, both the universal and partial religious innovations may be apparent or hidden. Similarly, the interpretation may be within or beyond the reach of mind, which gives rise to many problems in lots of the examples given in this chapter. A minor religious innovation, in this sense, may be regarded a major one, and vice versa. So, it is by virtue of Ijtihad that one should consider those things.

8.6. The Prerequisites For The Religious Innovation To Be Minor

If we admit that some religious innovations could be rendered minor, their being so depends on many conditions, including:

The first condition is not to be done regularly. Of a surety, the minor sin turns into a major one for him who does it regularly. That is because this goes back to his persistence in it. To persist in a minor sin turns it into a major one. For this reason, they said: “No minor sin remains (minor) with persistence (in doing it), and no major sin remains (major) with seeking for forgiveness (for it).”

The same applies to the religious innovation, with no difference. But the sins, in fact, may or may not be done persistently. Unlike is the religious innovation: doing it regularly, eagerness to keep it in the same position, and attacking the one who gives it up, with slander and blame, and accusing him of foolishness and ignorance, misleading and invention of heresies, contradict the conduct of the righteous predecessors of this ummah, and the imitated and followed Imams.

The proof for that is taken from reflection and transmitted text. The men of religious innovations used to disapprove of the conduct of the people of Sunnah, in case they had a pact or get attached to a power of authority whose judgments were effective on the people, and commands carried out in the countries. The biographies of the early men show this matter very clearly.

As far as the transmitted text is concerned, it is mentioned by the righteous predecessors, that once a religious innovation was invented, it would become effective more and more. Unlike are the sins. The sinner may repent and turn to Allah (in repentance). That is supported by the Hadith about the sects, in which he “peace be upon him” said in a certain narration: “Those inclinations would circulate and reach everywhere in their bodies in the same way as the hydrophobia circulates with the blood of the affected person.”⁽¹⁾

From this point of view, the righteous predecessors decided that there is no repentance for the religious innovator from it, as has been mentioned.

The second condition is not to call to it. The religious innovation may be minor in relation with the one who does it. But its perpetrator may call others to adopt it, and act upon it, thereby incur the sin of that upon himself. It is he

(1) Sunan Abu Dawud, Hadith no. 4597.

who gives birth to it, and causes it to spread among the people, and makes them act upon it. It is proven, in an authentic Hadith, that "he who lays the foundation of an evil tradition in Islam, will bear the burden of it, and the burden of anyone who acts upon it subsequently, and that will reduce nothing from their burden."⁽¹⁾

The minor, joined with the major sin, is different in rank only according to the strength of sins. The minor sin, from this perspective, may be equal to, or even more than the major sin.

It is incumbent then upon the religious innovator, when tried with the religious innovation, to limit it to himself, and not to bear, with his burden, the burden of others.

In this respect, it may be too difficult upon the religious innovator to give it up. As far as the sin is always between the servant and his Lord Almighty, he hopes forgiveness for it, and repentance from it. But once he advocates to it, it will become difficult upon him. This has already been mentioned in the section about the condemnation of the religious innovations. But the issue will be discussed in detail later, Allah willing.

The third condition is not to be done in the places where the people gather, or the places in which the acts of Sunnah are established, and the signs of Shari'ah appear.

To present it in the gatherings of those to be imitated or assumed to be good, is the most harmful upon the Sunnah of Islam. That is because its perpetrator may be imitated, because the laymen always follow every shouter, esp. of the religious innovations entrusted to Satan to embellish to the people, and the souls are inclined to this embellishment. If the one of a minor religious innovator is imitated, it would turn into a major one in relation to him. However, whoever calls to an error incurs upon himself its burden, and the burden of those to act upon it. The burden he bears become grave As much as in proportion to the number of followers.

This applies to the major sins. If a scholar, for example, demonstrates the sin, regardless of being minor or trivial, it will become easy upon the people to commit it. The ignorant will say, "Had this act been a sin, as said, he (this scholar) would not have committed it. He indeed committed it due to a certain reason he knew apart from us."

(1) It is narrated on the authority of Jarir Ibn 'Abdullah: see Al-Bukhari, Hadith no. 3335, 3867, 7321; Muslim, Hadith no. 1017, 1677; At-Tirmithi, Hadith no. 2675; 'Abd-Ar-Razzaq in Al-Musannaf, 10:464, no. 19718; Ibn Hibban in his Sahih, Hadith no. 5951; Al-Baihaqi in As-Sunan Al-Kubra, 8:15; Ibn Majah, Hadith no. 203, 2615; Ad-Darimi, Hadith no. 512, 514; An-Nasa'I, 7:75; Ahmad, 1:383, 430, 433; Sharh As-Sunnah, 1:198, no. 111.

The same is true of the religious innovation: if it is demonstrated by an imitated scholar, it will be assumed, by the ignorant, to be a means to come near to Allah. That is because the scholar does it on that basis. The religious innovation is more severe in this respect. One is not followed for a sin he commits, unlike the religious innovation, whose perpetrator would, inevitably, be followed for it by the people, except him who knows that it is really a condemned religious innovation. In this case, it takes the same rank of sin for him. Being so, it becomes a major religious innovation, without doubt. If he is an advocate of it, the matter will become more serious. If the demonstration gives rise to following, then, along with advocacy, it will be more aggravated.

It is related from Al-Hasan that a man from the children of Israel made a religious innovation and called the people to it, and was followed for it. But when he knew his sin, he aimed at his collar-bone and holed it, and inserted in it a ring attached to a chain, and tied it in a tree, and went on weeping and crying with regrets to his Lord. Allah revealed to the Prophet of those people at that time that no repentance would be accepted from him. Then, how do you think of him who went astray and became one of the denizens of the Hell-fire?

As for demonstrating it in the places where the acts of Sunnah are established, it is similar to calling to it explicitly. That is because to demonstrate the items of Islamic Shari'ah gives the impression that what is demonstrated belongs to the rites. The demonstrator, in this sense, seems to say that this is an act of Sunnah, so you should follow it.

Abu Mus'ab⁽¹⁾, the companion of Malik (Ibn Anas) said: Ibn Mahdi⁽²⁾ came to us (in Medina) and offered prayer (with us) and put his upper garment in front of the row. When he concluded with the end salutation, the people peered at him and looked at Malik. When he finished he asked: "Who are there from among the guards?" two persons came to him to whom he said: "Take the man of this dress and put him to prison." He was put to prison, and it was said to Malik: "He is Ibn Mahdi." He went to him and said: "Have you not feared Allah when you placed your dress in front of you in the row thereby engaged the sights of prayers and made in this mosque of ours something we did not know before? The Messenger of Allah "peace be upon him" said: "He who invented anything (concerning the acts of worship) in this mosque of ours will incur upon himself the curse of Allah, the angels and all the people.""⁽³⁾ On that Ibn Mahdi went on weeping, and took oath not to do anything like this in the mosque of The Messenger of Allah "peace be upon him" and in any

(1) Shatharat Ath-Thahab, 2:100; At-Taqrīb, 1:12.

(2) At-Taqrīb, 1:499; At-Tathkirah, 1:329.

(3) Sahih Muslim, Hadith no. 1366-1370, 1720; Fath Al-Bari, Hadith no. 1867; Kanz Al-Ummal, Hadith no. 44336.

mosque else.

In another narration from Ibn Al-Mahdi that he said: I said to the two guards: "Would you take me to Abu 'Abdullah?" they said: "If you so like." We went to him, and he said to me: "O 'Abd-Ar-Rahman! Do you pray while stripped off your outer garment?" I said: "O Abu 'Abdullah! It was hot, as you have seen, and I felt my outer garment heavy upon me." He said: "I beseech you by Allah! Have you not intended thereby to defame and oppose those who had passed (the righteous predecessors)?" I said: "I tell you by Allah." On that he said (addressing the guards): "Let him go."

It is narrated by Ibn Waddah that he said: During the lifetime of Malik, the Mu'aththin performed Tathwib in the Athan to Fajr prayer. He sent to him and he came. He said to him: "What is that you are doing?" he said: "I have intended that the people should know that the dawn has risen, thereupon they would get up." Malik said to him: "Do not do so. Do not innovate in this city of ours anything which was not in it. The Messenger of Allah "peace be upon him" lived in this city for ten years; and Abu Bakr, 'Umar and 'Uthman "Allah be pleased with them" lived after him, and no one of them did so. So, do not innovate in our city that which was not in it." The Mu'aththin stopped for some time, after which he hawked in the minaret when the dawn broke. Malik sent to him and said to him: "What are you doing?" he said: "I have intended that the people should know that the dawn has risen, (so that they would get up)." He said to him: "Have I not forbidden you to innovate anything which was not in our city?" he said: "You have forbidden me from Tathwib." He said: "Anyway, do not do so." He stopped for some time, after which he started to knock at the doors (to awaken the people). Malik sent to him and said to him: "What is that which you are doing?" he said: "I have intended that the people would know that the dawn has risen." Malik said to him: "Do not do so. Do not innovate in our city that which was not in it."

Ibn Waddah said: "Malik disliked Tathwib." He further said: "This was innovated in Iraq." It was said to Ibn Waddah: "Was it acted upon in Mecca, Medina or Egypt, or even any other province?" he said: "I have not heard it but among some people from Kufah, and some belonging to the Abadiyyah (doctrine)."

Consider then how Malik "may Allah have mercy upon him" prevented the people from innovation of a matter which might seem insignificant in the sight of the beholder at the first glance, and made it a newly invented thing. He said about Tathwib: "It is an error, whose deviation is evident, because every invented matter is a religious innovation, and every religious innovation is an error." He, thus, did not allow the Mu'aththin to hawk or even to knock the doors, since this is more entitled to be taken as an act of Sunnah. He also prevented 'Abd-Ar-Rahman Ibn Mahdi from putting off his outer garment and placing it in front of him while in prayer, for fear it would be an invented

matter made in the religion.

In Morocco, the one so called Al-Mahdi invented a Tathwib at the crack of dawn, i.e. his saying: "The morning has come, all perfect praise be to Allah", to notify that the dawn has risen, so that the people should come to do the act of worship, attend the congregational prayer, and start their day and all things they are commanded to do. But the later generations specified it to the Athan to prayer. To the people of Morocco, the portion invented in Alexandria was transmitted; and became habitual in the mosques of Andalusia and other regions. However, all of this has become a part of the Sunnah in the mosques until now. We all belong to Allah Almighty, and to Him we shall return.

The Tathwib referred to by Malik was explained to mean that whenever the Mu'aththin finished from pronouncing the Athan, and the people slowed to come, he would say, in the interval between Athan and Iqamah: "The prayer has been established! Come to prayer! Come to prosperity!" that is similar to their statement among us: "(Come to) prayer, may Allah have mercy upon you!"

It is narrated on the authority of Ibn 'Umar "Allah be pleased with them" that he once entered a mosque to perform prayer. But the Mu'aththin pronounced Tathwib in the Athan, thereupon 'Abdullah Ibn 'Umar "Allah be pleased with them" went out of the mosque, and said (to his slave): "Let us come out from this innovator (in the religion)." He thus did not pray in that mosque.

In his comment on that, Ibn Rushd said: "That is similar to what was practiced in the mosque of Cordova, where the Mu'aththin, after pronouncing Athan before Fajr, would specify the Athan to Fajr with his saying: "Come to prayer!" but this practice was abandoned. It was also said that what is meant is the statement of the Mu'aththin in his Athan: "Come to the best of deeds!" that is because it is an extra word added to the Athan by the opponents of Sunnah, from among the Shiites." It is mentioned in Al-Majmu' that whoever heard the Tathwib while being in the mosque should come out and leave it, just like the behavior of 'Abdullah Ibn 'Umar "Allah be pleased with them".

The question is open to further discussion. What is intended thereby is the unfavorable Tathwib, about which Malik said: "It is an error." This means to place a strong stress on the prevention of practicing the new invented religious matters in the places where the gatherings of people are held, or the acts of Sunnah are established; and rather to strictly preserve the things validated by Shari'ah. that is because if those invented matters are established in these very places, the people would take and act upon them, with the sin of that returning first on the perpetrator, whose burden would be multiplied, and the risk of his religious innovation would become more serious.

The fourth condition: not to make little of, nor look down upon it,

regardless of being minor, because that is to consider it insignificant; and to regard a sin insignificant is graver than the sin itself. That is why the minor sin may seem grave.

However, the sin has two perspectives of consideration: one in relation with its rank in Shari'ah; and the other in relation with the opposition of the Lord, the Great.

As for the first perspective, it is considered a minor sin, if it is understood from Shari'ah that it is really minor, because we, indeed, place it where it has been placed by Shari'ah. as for the other perspective, it goes back to what we believe in acting upon it, as we consider it unlawful to oppose the Lord Almighty, and this, without doubt, should be regarded something extremely grievous. That is because there is no difference, on verification, between confrontations with the minor and the major sins.

The sin, as being a sin, is inseparable from both perspectives in reality. That is because its conception is based on both together. To regard it grievous, and think of it as a minor do not contradict each other, because they are considerations from two points of view.

When a sinner commits a sin, he, in fact, does not mean to intentionally regard slightly the Lord, in so much as to follow his desire in what is made, by the lawgiver, minor or major, according to which the sin becomes due. Similarly, the innovator, with the religious innovation, does not mean to intentionally dispute with the lawgiver, nor to regard slightly the Shari'ah, in so much as to follow the inclination, even though with interpretation to be added and made preponderant over the others.

that is unlike the case in which one looks down upon the minor sins in Shari'ah, for by so doing, he regards with slighthness the opposition of the True Sovereign. The forbiddance takes place; and his violation takes place too, and to regard it with slighthness is grievous. For this reason, it is said: Do not look at the triviality of the mistakes and rather look at the greatness of Him Whom you have confronted with it.

It is narrated in an authentic Hadith that The Messenger of Allah "peace be upon him" said during the Farewell Hajj: "Which day is that?" they said: "That is the day of the greater Hajj." He said: "No doubt, your blood, property and honor are as inviolable among you as is the sanctity of this day of yours in this town of yours. No criminal incurs (the sin of his crime) but upon himself. Behold! No criminal incurs (the sin of his crime) upon his child, nor a child upon his parent. Behold! Satan has despaired to be worshipped in this town of yours forever, or to be obeyed except in your deeds which you regard with

slightness, and he will accept that.”⁽¹⁾ His statement, “peace be upon him”, that the Satan will accept it indicates to the great distress of what is regarded with slightness.

This condition is considered important by Al-Ghazali in this respect. He mentioned in his *Ihya’* that among the things therewith the minor sin becomes grievous is to be regarded with slightness. He said: “The more one regards as grievous The sin, the more it becomes minor in the Sight of Allah; and the more he regards it with slightness, the more it becomes grievous in the Sight of Allah.” He then clarified that in more detail.

If those conditions are achieved, then, it is hoped that the minor of the religious innovations would be a minor. But if one or more is absent, it would become major, or, at least, there is fear that it would become major. The same applies to the sins; and Allah knows best.

(1) Sirat Ibn Hisham, 4:275; Sunan Ad-Dairmi, Hadith no. 1916.

7. CONCERNING INNOVATION (IN RELIGION) DOES IT INCLUDE THE NORMAL HABITS OR ADDRESS ONLY THE ACTS OF WORSHIP?

the religious innovation has already been defined in a way that leads to dispute as to whether it includes the normal habits or addresses only the acts of worship. There is no problem that it addresses the acts of worship. The acts of worship, in general, are either acts of heart and beliefs, or acts of organs in regard with words and deeds. The religious innovation includes both divisions, like Qadariyyah (Anti-Fatalism), Murji'ah, Khawarij, Mu'tazilah, as well as licentiousness and unprecedented invention of acts of worship, with no previous example to follow, nor a well-established foundation to refer to.

As to the normal habits, that they are included in the religious innovations is debatable. Their examples are apparent as has already been mentioned in the division of the religious innovations, like taxes, invented complaints, giving priority to the ignorant over the learned in the scientific offices, appointing in the noble offices those unfit for them just by way of entailment, holding the pictures of the Imams, men in power and judges, taking sifters, washing the hands with the soap, putting on pallium, enlarging the sleeves, and the like of those matters which did not exist in the superior time among the righteous predecessors. Those things have been invented and acted upon by the people (of the later generation), and become widespread so much that they joined the religious innovations, like the invented acts of worship common among the people. That is evidence for what we have already mentioned. To this inclined Al-Qarafi and his mister, Ibn 'Abd-As-Salam, and also some predecessors.

It is narrated by Abu Na'eem Al-Hafizh ⁽¹⁾ on the authority of Muhammad Ibn Aslam that a child was born for him. Muhammad Ibn Al-Qasim At-Tusi said: He said: "Buy for me two huge rams." He gave me a few Dirhams. I bought that for him and he gave me further ten and said: "Buy for me powder and bake it without sifting it." But I sifted the powder and then baked it, and brought it to him. He said: "Have you sifted it?" he gave me ten Dirhams and said: "Buy powder by that and bake it without sifting it." I baked and then carried it to him. He said to me: "O Abu 'Abdullah! The 'Aqiqah is an act of Sunnah, and sifting the powder is a religious innovation; and it is not befitting that an act of Sunnah should include any religious innovation. I did not like that this bread (of sifted powder) be in my house after the religious innovation

(1) Ash-Shatharat, 3:245; At-Tathkirah, 3:1092.

had entered it.” This Muhammad Ibn Aslam is the same with whom Ishaq Ibn Rahawaih explained the Hadith, when he was asked about the majority in the statement of The Messenger of Allah “peace be upon him”: “I advise you to stick to the majority.”⁽¹⁾ He said: “That is, Muhammad and his companions.” This will be shown later Allah willing, in its appropriate place of this book.

Furthermore, if innovation (in religion) is imagined in the acts of worship, it also could be so in the normal habits, because there is no difference between both. The validated matters sometimes are acts of worship, and sometimes habits, and both are validated by the lawgiver. As well as violation by religious innovation takes place in one of both, it also does in the other.

A third point is that the Shari’ah has made promise of things to come towards the end of time, outside the Sunnah of the Prophet “peace be upon him”. Thus, they are included under what has been mentioned earlier, because they are of the same kind.

It is narrated on the authority of ‘Abdullah “Allah be pleased with him” that he said: The Messenger of Allah “peace be upon him” said: “After me there will be favoritism and many things of which you will disapprove.” They (the Companions) said: “O Messenger of Allah! What do you order anyone from among us to do in case he has joined such a time?” He said: “You should fulfill whatever right is upon you (towards your rulers), and ask Allah to give you whatever right you have (from them).”⁽²⁾

It is narrated on the authority of Ibn ‘Abbas “Allah be pleased with them” that he said: The Messenger of Allah “peace be upon him” said: “Whoever dislikes from his ruler what he disapproves of, let him keep patient.”⁽³⁾

According to another narration, he “peace be upon him” said: “Whoever noticed in his ruler something of which he disapproved should be patient, for whoever separated from the group of Muslims even to the extent of a span and then he died would die the death of one belonging to the pre-Islamic days of Jahilya (i.e. as an unbeliever).”⁽⁴⁾

According to an authentic Hadith, he “peace be upon him” said too: “When the matter (of ruling) is given to those unfit for it, then, you should wait the coming of the Hour (of Judgment).”⁽⁵⁾

It is narrated on the authority of Abu Hurairah “Allah be pleased with him” that he said: The Messenger of Allah “peace be upon him” said: “Time will pass rapidly, good deeds will decrease, and miserliness will be planted (in the hearts of the people), and the tumult (will be widespread).” They asked:

(1) Ahmad in his Musnad, Hadith no. 18947, 19370, 19872; Majma‘ Az-Zawa‘id, Hadith no. 9097, 5:392.

(2) Al-Bukhari, Hadith no. 3603, 4330, 7052, 7057; Muslim, Hadith no. 1843, 1845; At-Tirmithi, Hadith no. 2189, 2190; Ibn Hibban in his Sahih, 9:195.

(3) Al-Bukhari, Hadith no. 7053, 7054, 7143; Muslim, Hadith no. 1849; Ad-Darimi, 2519.

(4) As previous.

(5) Al-Bukhari, Hadith no. 6496.

“What is the tumult?” He replied: “Murdering! Murdering!”⁽¹⁾

It is narrated on the authority of Abu Musa "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "Just before the establishment of the Hour, there will be days during which (Religious) ignorance will be prevalent, (religious) knowledge will be taken away, and there will be much more tumult, and tumult is the killing."⁽²⁾

It is narrated on the authority of Huthaifah "Allah be pleased with him" that he said: "The Messenger of Allah "peace be upon him" told us two narrations, one of which I have seen (happening) and I am waiting for the other. He narrated that honesty was preserved in the roots of the hearts of men (in the beginning) and then they learnt it (honesty) from the Qur'an, and then they learnt it from the (Prophets) Sunnah. He also told us about its disappearance, saying: "A man will go to sleep whereupon honesty will be taken away from his heart, and only its trace will remain, resembling the traces of fire. He then will sleep again whereupon the remainder of the honesty will also be taken away (from his heart) with its trace resembling a blister, which is raised over the surface of skin, when an ember touches one's foot; and in fact, this blister does not contain anything. So there will come a day when people will deal in business with each other but there will hardly be any trustworthy persons among them. Then it will be said that in such-and-such tribe there is such-and-such person who is honest, and a man will be admired for his intelligence, good manners and strength, though indeed he will not have belief equal to a mustard seed in his heart." The narrator added: There came upon me a time when I did not mind dealing with anyone of you, for if he was a Muslim, his religion would prevent him from cheating; and if he was a Christian, his Muslim ruler would prevent him from cheating. But today I cannot deal except with so-and-so and so-and-so."⁽³⁾

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "The Hour will not be established till: Two big groups will fight each other whereupon there will be a great number of casualties on both sides. They will be following the same religious claim. About thirty Charlatans (liars) will appear, each of whom will claim that he is Allah's Apostle. The religious knowledge will be taken away (by the death of Religious scholars). The earthquakes will increase in number. The time will pass quickly. The afflictions will appear. The killing (in tumults) will increase. The wealth will be so

(1) Al-Bukhari, Hadith no. 7061; Muslim, Hadith no. 157; At-Tirmithi, Hadith no. 2200, 2332; Ibn Majah, Hadith no. 4052; Ahmad in Al-Musnad, 2:537.

(2) Al-Bukhari, Hadith no. 7062, 7063, 7064, 7066; Muslim, Hadith no. 2672; At-Tirmithi, Hadith no. 2200; Ibn Majah, 4050, 4051.

(3) Al-Bukhari, Hadith no. 7086; Muslim, Hadith no. 143; At-Tirmithi, Hadith no. 2179; Ibn Majah, 4053; At-Tayalisi, Hadith no. 424, 432, 803; Ahmad in his Musnad, 2:166, 303, 361, 390, 406.

abundant that a rich person will worry that there might be nobody to accept his charity. Whenever he presents it to someone, that person will say: "I am not in need of it. The people will compete with one another in constructing high buildings. A man when passing by a grave of someone will say: "Would that I were in his place!" The sun will rise from the West. So when the sun rises with people seeing it (from the West) they will all believe (in Islam); but that will be the time when "no good will it do to a soul to believe in them then, if it believed not before nor earned righteousness through its Faith." (Cattle "Al-An'am" 158) the Hour will be established while two men spreading a garment in front of them but they will not be able to sell it, nor fold it up. The Hour will be established when a man has milked his she-camel and taken away the milk but he will not be able to drink it. The Hour will not be established before a man, repairing a tank (for his livestock) is not able to water (his animals) in it. The Hour will not be established before a person raises a morsel (of food) to his mouth but will not be able to eat it." ⁽¹⁾

It is narrated on the authority of 'Abdullah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "In the last days of this world there will appear some young foolish people who will use (in their claim) the best speech of all people (The Qur'an) though they will abandon Islam as an arrow goes through the game. Their belief will not go beyond their throats (because They will have practically no belief). So wherever you meet them, kill them, for he who kills them shall get a reward on the Day of Judgment." ⁽²⁾

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "Be prompt to do good deeds (before you would be occupied from them) by afflictions which would be as the parts of the dark night, During which, a man would be a Muslim in the morning and an unbeliever in the evening, or he would be a believer in the evening and an unbeliever in the morning, and would sell his faith for world benefits." ⁽³⁾

According to the interpretation of Al-Hasan, the morning would come upon anyone while regarding inviolable the blood, honor and property of his brother; and the evening would come upon him while making unlawful all of this. He seemed to have construed it on the light of the other Hadith in which he said: "Do not return after me as disbeliever, striking the necks (killing) of each other" ⁽⁴⁾; and Allah knows best.

(1) Al-Bukhari, Hadith no. 3608, 3609, 7121; Muslim, Hadith no. 157; At-Tirmithi, Hadith no. 2218.

(2) Al-Bukhari, Hadith no. 3611, 5057, 5058, 6930, 6931; Muslim, Hadith no. 1066, 1067, 1068; At-Tirmithi, Hadith no. 2188; Ibn Majah, Hadith no. 168-172, 174, 175.

(3) Muslim, Hadith no. 118; At-Tirmithi, Hadith no. 2195, 2197, 2198; Ahmad in his Musnad, 2:523.

(4) Al-Bukhari, Hadith no. 4403, 4405, 4406, 6785, 7077-80; Muslim, Hadith no. 65, 120; At-

It is narrated on the authority of Anas "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "From among the portents of the Hour are that: Religious knowledge will decrease for the ignorance to prevail. There will be prevalence of adultery. Women will increase and men will decrease in number so much that for each fifty women there will be only one man."⁽¹⁾

It is narrated on the authority of 'Ali Ibn Abu Talib "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "If my ummah do fifteen things, the affliction would then be inflicted upon them." It was said: "What are those O Messenger of Allah?" he said: "When the gained property is taken (by the rich apart from the poor) by turns, the trust is (usurped by these with whom it is entrusted as if it were their) gained property, the Zakah is (too difficult for the people to pay that it puts them to) debt,, the man obeys his wife and disobeys his mother, is dutiful to his friend and undutiful to his father, the voices rise in the mosques (with disputes), the chief (spokesman) of the people is the most wicked among them, the man is honored just for fear of his evil, wine is drunk, silk is put on (by men unnecessarily), songstresses and musical instruments are taken, and the last of this ummah curse the foremost of it. Then, let them watch, at that time, a red wind, earthquake, sliding down of earth, transformation and ejection (of lava from the earth)."⁽²⁾

A similar Hadith is narrated on the authority of Abu Hurairah "Allah be pleased with him".

Those Hadiths and the other narrations in which The Messenger of Allah "peace be upon him" told about what would happen in the ummah after him address the changes to be made in the deeds they were entitled to do. But when they got accustomed to others, which spread among them as if they were legislated by the lawgiver, they became a part of the occurring events, similar to what has been shown in the acts of worship.

Those who are of the opinion that the innovation (in religion) is specific only to the acts of worship do not admit all that was said by the foremost.

As for the opinion of Al-Qarafi and his mister (Ibn 'Abd-As-Salam), an answer was given about it. In general, they are sins, and violations of what is validated by Shari'ah, like the taxes, the new complaints, giving priority to the ignorant over the learned, and the like of them.

What is permissible of them, like taking sifters, in case it is permissible as

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Tirmithi, Hadith no. 2193; Ibn Majah, Hadith no. 3942, 4943; Ibn Hibban in his Sahih, 1:205, 7:572.

(1) Al-Bukhari, Hadith no. 81, 5231, 5577, 6808; Muslim, Hadith no. 2671; Ibn Majah, Hadith no. 4045; At-Tirmithi, Hadith no. 2205; At-Tayalisi, Hadith no. 1984; Ahmad in his Musnad, 3:98, 120, 176, 202, 213, 273.

(2) At-Tirmithi, Hadith no. 2210, 2211.

they said, is regarded so depending upon a Shari'ah evidence; and in this case, there is no religious innovation in it.

But if it is supposed to be unfavorable, as considered by Muhammad Ibn Aslam, this goes back, in his sight, to its being one of the changes made in the tradition. It is well-known that taking the sifters was the first to be invented by the people after the death of The Messenger of Allah "peace be upon him". This statement was taken depending only upon the apparent meaning of the word, under pretext not of innovation (in religion) in so much as of extravagance and luxury which are unfavorable as referred to by Allah's statement: **{And on the Day that the Unbelievers will be placed before the Fire, (it will be said to them): "You received your good things in the life of the world, and you took your pleasure out of them: but today shall you be recompensed with a Penalty of humiliation: for that you were arrogant on earth without just cause, and that you (ever) transgressed."}** [Al-Ahqaf 20]

As well as this could be imagined in the acts of worship, it could be so also in the normal habits. Of course we do not mean what is reasonably potential. But we mean what takes place in reality, in which there is dispute.

As for the Hadiths with which they supported their argument, they have even no single evidence for the case in issue. He "peace be upon him" did not state, explicitly, that those are innovations or even changes made in religion. If they are to regard every new invented habit or custom an innovation (in religion), then, this should apply also to all they invented of their food, drinks, clothes, words and all things which were not known in the past. That is indeed very hideous. The habits always differ by the difference of time, place and names. Do all the people who disagree with the Arabs that formed the Companions of The Messenger of Allah "peace be upon him" in their habits and customs not follow their tradition? That is disprovable.

It is true that in all normal habits, there is a necessity to preserve the Shari'ah limits and laws of the Book and the Sunnah. On the other hand, to abide by only one way of clothing, one habit, one kind of food, and so may be very troublesome, due to the difference of manners, times, places and states. Shari'ah never toughens things nor imposes difficulty in the matters proven permissible by the lawgiver, if there is no evidence to oppose it.

The lawgiver made those things referred to in the Hadiths previously mentioned a result of the corruption of time, and a part of the portents of the Hour of Judgment, for they would become extremely widespread and very common in comparison with the early times, where good was more apparent and evil more hidden, unlike the end of time, where the good would be more hidden and the evil more apparent.

That those are innovations (in religion) is not understood according to both ways, as shown from the definition of the religious innovations, which you may check up anyway.

The right is to raise a third way, which would combine both and achieve the purpose desired in them. It is that on which this section is based. So, let us specify the coming chapter to it; and it is Allah Almighty Who guides to the right.

1.7. The DEEDS Of Competent For Religious Assignments Are Of Two Kinds

It should be known that the deeds of these competent for religious assignments are, according to Shari'ah perspective, of two kinds: the first belongs to the acts of worship, and the other to normal habits.

There is no relevance to discuss the first here.

As for the other, it seems, as shown in the texts transmitted from the early generation, that it is debatable. Some of them are of the opinion that the normal habits are like the acts of worship. As well as we are commanded not to invent anything in the acts of worship, we are also given the same command concerning the normal habits. That is the opinion of Muhammad Ibn Aslam, who disliked to add to the Sunnah of 'Aqiqah anything invented even though in the normal habits, i.e. to use the sifters, given that it is reasonable in meaning. This goes back, and Allah knows best, to the fact that he construed the command to follow the predecessors in all matters as a part of worship. It is in this context that he understood the statement: "Taking the sifters was the first thing invented by the people after the Messenger of Allah "peace be upon him"."

It is narrated from Ar-Rabie' Ibn Abu Rashid that he said: "Had I not been afraid of those (who died) before me, surely, I would have taken the graveyard my residence till I die." Residence belongs to the normal habits.

Being so, the normal habits are included under the acts of worship, and thus subject to the same rulings of innovation. But the majority of scholars differ from that opinion, and on this, let us build our following speech:

It is well-established in the fundamentals of Shari'ah that any normal habit should have a side of worship. The worship includes such of commands and forbiddances as beyond reason in details, like performance of ablution, prayer, fasting, Hajj and so. The normal habits include the things which are within the reach of mind, whose benefit and evil are known, like transaction, marriage, divorce, contracts and crimes: the rulings of those are within the reach of mind. But, at the same time, worship should lie in them, since they are restricted by Shari'ah matters beyond the interference of the competent for religious assignments.

hence, both divisions then share in the concept of worship. If innovation afflicts the normal habits from this point, the ruling of innovation then would include the normal habits, the same as the acts of worship, otherwise, it is not. That is the point on which this section is based. This will be shown more clearly with the following examples.

Among the examples brought by Al-Qarafi in this respect is the

imposition of taxes in the dealings among the people. However, this imposition has two probable interpretations. It may be understood to be a kind of limitation of behaviors for a specific time and under a particular circumstance, in order to gain the chattels of this world, in the same way of a usurper, a thief, a highway man, etc. it also may be intended to be imposed upon the people like the prescribed debt or ordained obligation to do permanently or for a specific time, and in particular ways, like the validated matters by which the laymen are dealt with: that is, they are commanded to do it, and punished for abstention from doing it, as is the case with taking the obligatory charity due upon the cattle and sheep, agricultural crops and their likes.

As far as the latter is concerned, it is apparently an innovation because it is an extra legislation, and compulsion imposed upon the competent for religious assignments, like that of the ordained Zakah, imposed blood-money, and the mulct judged to be taken from the property of the usurpers and transgressors; and even like the obligatory acts of worship and prescribed obligations or their likes. From this point, it is undoubtedly an innovation, because it seems as if it were intended to repair the original Shari'ah and Sunnah.

The taxes imposed as such is an innovation from two points of view. The first makes it unlawful for anyone to do, like all other prohibited sins. The other makes it an invention of a legislation whereby the people are taken to death, just as they are taken to the other obligations. Thus, two forbiddances are combined in it: forbiddance from sin, and forbiddance from innovation.

That is not characteristic of the innovation in the first division, because this division implies forbiddance only in terms of being a legislation imposed upon the people, by way of obligation or recommendation, since there is no other point for which it is considered a sin, because it is the same legislation which is forbidden.

The same is true of giving priority to the ignorant over the learned, and appointing in the noble offices those unfit for them, only by way of entailment. To be sure, to place the ignorant in the same position of the learned, until he becomes a Mufti in the religious matters who issues fatwas upon which the people act in the property, blood, bodies, and so, is, without doubt, prohibited in religion; and to take it as a habit until the son comes to take the same position of the father, even though he does not attain his rank, just by entailment, in a way with which this habit becomes common among the people, who deal with it as an item of Shari'ah, is, without doubt, an innovation.

Add to those the adoption of the personal opinion which does not depend on knowledge: it is, without doubt, an innovation, or at least, a means to an innovation, as will be shown in detail later, Allah willing. It is that which The Messenger of Allah "peace be upon him" clarified in his statement: "Verily, Allah never takes away knowledge by depriving the people of it after

He had given it to them: but He takes away knowledge by taking away the scholars, so that when He leaves no learned person, people would turn to ignorant as their leaders, who, subsequently, would be asked to deliver religious fatwa, and they deliver it without knowledge, thereupon they would go astray, and mislead others.”⁽¹⁾ They go astray because they give fatwa depending only on their personal opinions, because they have no knowledge to rely on it.

As for appointing the judges, Imams and men in power in a way different from that of the righteous predecessors, the innovation could not be conceived here, as has previously been mentioned. That is indeed right. If one tries to make it possible even ostentatiously, this would be very unlikely, esp. when this deed by which the Imams in particular are required is thought to be a legislation different from the consideration of the public interests in the matters which were not addressed by Islamic texts, or to be unique to the Imams apart from others, like the allegation of some that the gold ring or silk is permissible only for the men of power, in which case, the innovation is more conceivable than the former.

Similar to that is the adornment of mosques, which a lot of people think to be an aspect of elevating the houses of Allah. The same is true of hanging the precious chandeliers when spending on it is considered spending in the Cause of Allah. The same applies to the adornment of the palaces of kings and holding their pictures if it is thought to be an aspect of elevating Islam and demonstrating its features and rites. That is because it is to elevate Islam with things unpermitted by Allah Almighty.

What is related by Al-Qarafi from Mu‘awiyah does not belong to this kind of adornment. It rather belongs to what is habitual in clothing and precaution of veiling, for fear it would be torn unreasonably. That is so if what he relates is authentic, otherwise, no one should rely upon the transmission of the historians and narrators who are not considerable in this respect, and it is more entitled not to establish any judgment on that.

As for the taking of sifters, it has already been explained in detail. However, no one joins it with the religious matters, and it has nothing to do with legislation. So, we will not discuss it here in avoidance of lengthiness.

It is within this context that we could reflect the statement of Ibn ‘Abd-As-Salam, with no difference. See also the difference between the innovation in the religious matters and the innovation in the normal habits.

Concerning the examples of the third point according to which the innovations address the normal habits, let us say that all these Hadiths are centered on more than ten things, which could be reduced to many fundamental principles, all, or at least most of which are religious innovations:

(1) See Sahih Al-Bukhari, Hadith no. 100, 7307; Sahih Muslim, Hadith no. 2673; Sunan At-Tirmithi, Hadith no. 2652; Sunan Ad-Darimi, Hadith no. 239; Sahih Ibn Hibban 7:48, 8:254, 255.

shortage of knowledge, prevalence of ignorance, frequency of niggardliness, withdrawal of honesty, making lawful the blood (with no just cause), adultery, silk, singing, and alcoholic drinks, the property's being taken only by the rich by turns, the charity's being (too difficult for the people to pay that it puts them to) debt,, the rising of voices in the mosques, giving priority to the (foolish) youth, invocation of curse by the last of this ummah upon the foremost of it, the appearance of imposters, and the departure from the established community (of Muslims).

As for the shortage of knowledge and emergence of ignorance, it goes back to the fact that the people would engage themselves wholeheartedly to the world, with its delights and pleasures. It is introductory to the issuance of fatwa with no knowledge, according to the authentic Hadith: "Verily, Allah never takes away knowledge by depriving the people of it after He had given it to them: but He takes away knowledge by taking away the scholars, so that when He leaves no learned person, people would turn to ignorant as their leaders, who, subsequently, would be asked to deliver religious fatwa, and they deliver it without knowledge, thereupon they would go astray, and mislead others."⁽¹⁾

That is, the people should have a leader to lead them in the religion when they commit crimes, otherwise, they would be led to tumult and disorder. In the absence of the real scholars, they take refuge to such as assumes himself in the position of guidance, whom they call a scholar. He thus forces them to adopt his personal opinion in the religion, given that he is indeed ignorant, misleading them from the right path, from which he himself has already strayed.

That is the religious innovation, in essence, which depends upon legislation with no fundamental support from the Book or Sunnah. This Hadith indicates, moreover, that the people would not be ruined from the side of the scholars. but they would be ruined because when their scholars die, the ignorant would give fatwa with no knowledge, from whose side the people would be ruined. This issue will be explained, in more detail, later, Allah willing.

As for niggardliness, it is introductory to the religious innovation of circumvention to make lawful the unlawful. the people withhold their property, and do not spend it in the sides of the noble manners, such as to do good with the objects of charity, gifts, grants, altruism: and that is the first class, followed by the different kinds of permissible loan, followed by the leniency in dealings by giving respite to the one in difficulty, and exempting from debt the insolvent, in compliance with the statement of Allah: **{If the debtor is in a difficulty, grant him time till it is easy for him to repay. But if you remit**

(1) See Sahih Muslim, Hadith no. 2673.

it by way of charity, that is best for you if you only knew.} [Al-Baqarah 280]

That was the conduct of the righteous predecessors. Then, goodness decreased concerning the first class. The people remained to be lenient in loans until this was repealed in such a way that the solvent withheld what he had of money, which forced the insolvent to enter into dealings which seems outwardly permissible and inwardly forbidden, like usury, and payment in advance which leads to benefits, and is made to seem outwardly selling, and has become common among the people. They assumed those operations to be transactions, even though they go back, in principle, to withholding of property, and love for this world and transitory desires. Being so, it is more entitled to be an innovation in the religion, and be one of the portents of the Hour (of Judgment).

It may be argued that this is an impossible interpretation and ostentation for which there is no evidence. In reply, let us say that had it not been understood from Shari'ah to be so, it would have not been taken for granted. In this context, it is narrated by Ahmad in his Musnad on the authority of 'Abdullah Ibn 'Umar "Allah be pleased with them" that he said: The Messenger of Allah "peace be upon him" said: "When the people withhold their money (from each other), enter into transactions on the basis of 'Aynah (i.e. to sell a particular commodity on credit and buy it in the same session by cash money but with a less price, in order to avoid usury), follow the tails of cows (i.e. engage in grazing cattle and sheep), and leave Jihad in the Cause of Allah Almighty, Allah then will smite them with affliction and will not remove it from them until they would return to their true religion."⁽¹⁾

The same is narrated by Abu Dawud on the same authority, in which he "peace be upon him" said: "When you enter into transactions on the basis of 'Aynah (i.e. to sell a particular commodity on credit and buy it in the same session by cash money but with a less price), follow the tails of cows (i.e. engage in grazing cattle and sheep), work in farming, and leave Jihad in the Cause of Allah Almighty, Allah then will smite you with humiliation and will not remove it from you until you would return to your religion."⁽²⁾

Consider then how he joined the selling on the basis of 'Aynah to the withholding of money from each other, giving the impression that such selling is caused by withholding money. That is reasonable in itself. One does not take refuge to such selling if he finds him who could lend or even help him fulfill his need, unless he is weak-minded and foolish.

This concept is confirmed by the narration of Abu Dawud on the authority of 'Ali Ibn Abu Talib "Allah be pleased with him" that he said: "A time will come upon the people, of which niggardliness is characteristic to the

(1) Faïd Al-Qadir, Hadith no. 740; Zad Al-Ma'ad, 3:86.

(2) Sunan Abu Dawud, Hadith no. 3462.

extent that the wealthy among the people will have grasp over what is in his possession, even though he has not been commanded to do so. Allah Almighty says in this respect: **{and nothing do you spend in the least (in His Cause) but He replaces it: for He is the Best of those who grant Sustenance.}** [Saba' 39] They would be so much evil that they would bargain with everyone in need or forced by necessity (so as to sell his things as cheap as it could be). Behold! The bargain with one in need or forced by necessity (which leads to underrating his commodity) is unlawful: the Muslim is the brother of the Muslim; he neither wrong nor betray him. If you have good, give some of it to your (Muslim) brother, and do not contribute in his destruction.”⁽¹⁾

As unreliable as the chains of transmitters of those three Hadiths might be, they, ultimately, support each other. It is indeed a true statement in itself, as confirmed by reality. According to a scholar: The transaction on the basis of ‘Aynah is practiced by one forced to spending, and the wealthy rejects to lend him (to fulfill his need), unless he gives him profit as much percentage as he likes per one hundred (Dirhams), thereupon he sells to him the commodity for as much as twice one hundred. Thus, the selling of one forced by necessity is explained as the selling on the basis of ‘Aynah. The selling on the basis of ‘Aynah is to sell the object with more than its real price on credit, as explicated in the jurisprudence. Niggardliness then has become a cause of those evils in the transactions.

It may be argued that our speech in the innovation addresses the evil of sin, because those things are but invalid transactions, which makes it irrelevant to our discussion here.

The reply is to say that it is considered an innovation here due to the trickery made permissible by some people. The scholars regarded it among the newly invented innovations in the religion. Ibn Al-Mubarak⁽²⁾ “may Allah have mercy upon him” said about the book of such trickeries: “Even though, he is a disbeliever, and whoever hears about and accepts it is also a disbeliever, and whoever holds it from one place to another is a disbeliever too, and whoever has got it and accepts it is a disbeliever consequently. That is because it includes tricks in shameful and disapproved ways, to the extent that they make a trick for the wife that she may become apostate in order to leave her husband.”

According to Ishaq Ibn Rahawaih from Sufyan Ibn ‘Abd-Al-Malik⁽³⁾: Ibn Al-Mubarak said angrily in the story of the daughter of Abu Rawh, who was commanded to become apostate (in order to be able to leave her husband), during the days of Abu Ghashan, after mentioning something: “They have

(1) Sunan Abu Dawud, Hadith no. 3382; Ahmad in his Musnad, Hadith no. 937; As-Suyuti in Ad-Durr Al-Manthur, 1:293.

(2) Ash-Shatharat 1:295; At-Taqrīb, 1:445.

(3) At-Taqrīb, 1:311; Al-Jarh Wat-Ta‘dil, 4:230.

innovated in Islam. Whoever gives that command is a disbeliever; and whoever has this book, whether he does or does not command thereby is a disbeliever.” Then he added: “I do not think that Satan is skillful enough to make alluring such a thing. It is those who brought it first and he then took it from them, and publicized it among the people, making it alluring to them.”

This book and its like have been composed in order to be a proof, according to their claim, thereby they would make tricks for the lawful to become unlawful, the obligatory to become non-obligatory, and all such things which are not in the religious system. For instance, they made permissible the marriage of the Muhallil, i.e. to make trickery to bring the irrevocably divorced woman with three pronouncements of divorce back to her husband. They also made it permissible to cancel out the obligation of Zakah because of the borrowed gift...to the end of this series of tricks.

Thus, the Hadiths previously mentioned which address niggardliness imply innovation in the religion, as well as so many sins.

As for taking away honesty, it means the prevalence of betrayal, which is unique to the hypocrites. But many people possess some of its kinds, and it seems habitual to them as if it were a legislation, and it is reported to be possessed by some belonging to knowledge, as well as by many governors.

The men of trickery referred to, based their selling by way of ‘Aynah on the concealment of things which, if shown, would invalidate the transaction. But they hid those in order that the transaction would seem valid. To sell a garment for one hundred and fifty on credit, for instance, is based on an object of selling. But they show the garment as if it were the sold and the bought simultaneously, even though it is not, as confirmed by the reality.

As for the borrowed gift, it is that a man gives his property as a gift to another at the beginning of a new year, saying: “I am not in need of this property, and you are more needy for it than me.” Then, he gives it to him as a gift. When it is the beginning of the coming year, the one to whom the gift has been given say to the giver the same statement. However, those are, in both cases, and even in both years, equal in spending the property. Is it not an opposition of the honesty? The obligation, in principal, is an honest trust between a servant and his Lord; and to behave in opposition of it is a betrayal.

Similarly, some people make little of adornment and put on lies. The meaning of adornment is to falsify the defects; and that is an opposition of honesty and sincerity in advice to every Muslim. Some governors seize the property of the people thinking it to be theirs apart from all the Muslims. Others have the same assumption about the war spoils taken by force from the disbelievers: they deposit them in the treasury, and deprive the winners (in the battles) of their shares from them, interpreting Shari’ah only by reason. That this is a religious innovation is self-evident.

We have already highlighted this fact in the examples given for the religious innovations concerning the (five) essential necessities in the previous

section. This includes also the war spoils' being taken by the rich only (apart from the poor) by turns. It also implies the statement of The Messenger of Allah "peace be upon him": "After me there will be favoritism and many things of which you will disapprove." They (the Companions) said: "O Messenger of Allah! What do you order anyone from among us to do in case he has joined such a time?" He said: "You should fulfill whatever right is upon you (towards your rulers), and ask Allah to give you whatever right you have (from them)." ⁽¹⁾

As for making lawful the blood (with no just cause), usury, silk, singing and wine, It is narrated by Abu Dawud, Ahmad and others on the authority of Abu Malik Al-Ash'ari "Allah be pleased with him" that he heard the Prophet "peace be upon him" having said: "Some people of my ummah will drink wine, giving it a name other than its real one ⁽²⁾, in whose presence the musical instruments will be played: Allah Almighty will cause the earth to swallow them up, and He further will transform them into apes and swine." ⁽³⁾

The same is narrated by Al-Bukhari on the authority of Abu 'Amir or Abu Malik Al-Ash'ari "Allah be pleased with him" that he heard The Messenger of Allah "peace be upon him" saying: "From among my ummah there will be some people who will consider adultery, wearing silk, drinking wine, and using musical instruments, as lawful. furthermore, there will be some people who will stay near the side of a mountain and in the evening their shepherd will come to them with their sheep and ask them for something, but they will say to him: "Return to us tomorrow." Allah will destroy them during the night and will let the mountain fall on them. moreover, He will transform the rest of them into monkeys and pigs. They will remain so till the Day of Judgment." ⁽⁴⁾ According to Sunan Abu Dawud: "From amongst my nation, there will be some who will make lawful both Khazz and silk...others from amongst them will be transformed into apes and swine." ⁽⁵⁾

Kazz here designates a kind of silk, other than the Kazz which is permissible and is woven of silk mixed with other fabric. His statement "furthermore, there will be some people who will stay" means, and Allah knows best, some of the people who will make lawful those things. That is, some of men who will make lawful these things will stay near the side of a mountain, and in the evening their shepherd will come to them with their

(1) Al-Bukhari, Hadith no. 3603, 4330, 7052, 7057; Muslim, Hadith no. 1843, 1845; At-Tirmithi, Hadith no. 2189, 2190; Ibn Hibban in his Sahih, 9:195.

(2) Abu Dawud, Hadith no. 3688, 3689; Ibn Majah, Hadith no. 4020; Ad-Darimi, Hadith no. 2100; At-Tayalisi, Hadith no. 586; Fa'id Al-Qadir, Hadith no. 7705; An-Nasa'I, 8:312, 313; Ahmad in his Musnad, 4:237, 5:318, 342; Ibn Hibban in his Sahih, 8:266; Zad Al-Ma'ad, 5:748.

(3) Ibn Majah, Hadith no. 3385; Fa'id Al-Qadri, Al-Manawi, Hadith no. 7706.

(4) Al-Bukhari, Hadith no. 5590.

(5) Sunan Abu Dawud, Hadith no. 4039.

sheep and ask them for something, but they will say to him: "Return to us tomorrow." Then, Allah Almighty will make them spend the night in punishment. Others among them will be transformed into monkeys and swine as shown in the Hadith of Abu Dawud and Ibn Majah: Allah Almighty will cause the earth to swallow them up, and transform them into apes and swine.

This means explicitly that those who made lawful the prohibited depended upon their personal interpretation. They claimed that the drink they got was not wine, and that it had another name, let it be Nabith or any such like, under pretext that the wine is only the juice of the raw grapes. That is the opinion of some men of Kufah. But it is a well-established fact in which there is no doubt, that every intoxicant is wine.

According to a certain scholar, Those were pointed out in particular because they made lawful the prohibited things, by their assumption that there would be no sin in doing them. But they were heedless of the concept of prohibition itself, and how it is affirmed. This, in itself, is the same malicious allegation of the Jews when they made it lawful to take the fish on Sunday, after they had ensnared them on Saturday in nets and holes they prepared on Friday, and said: "That is not catching, nor is it a deed to be done on Saturday, nor is it to make Saturday permissible."

The one who makes lawful the wine claiming it is not wine, although he knows well that it is really wine, has invalidated interpretation. That is because the men of Kufah depend on analogism most among all the people. If the analogy is true, the analogy of the soaked wine (Nabith) to the pressed wine (juice) gives the same meaning. It is clear, since there is no difference between them which may give the false impression that one is unlawful and the other not.

Since those mentioned in the Hadith drink wine because they make it lawful, thinking that the unlawful denotes only that which carries the same name (of wine), and that the term 'wine' denotes only the juice of the raw grapes, their malicious allegation in making lawful the silk and musical instruments is more evident. Silk has been made permissible for women absolutely, and men in some cases. The same applies to singing and beating the tambourine, which have been made permissible in the wedding parties and their likes; and singing of the camel driver (on journey) has also been made permissible. The evidences for prohibition in this kind is not as apparent as in wine.

That is the significance of condemnation of those whom the earth will swallow up, because of their invalid interpretation, by which they made lawful the prohibited things, just by trickery, and turned away from the intent and wisdom of the lawgiver in making them unlawful.

It is narrated by Ibn Battah on the authority of Al-Awza'i that The Messenger of Allah "peace be upon him" said: "A time will come upon the people, at which they will make lawful usury by trade." According to some, he

means the selling by way of 'Aynah. In regard with making lawful the usury, it is narrated by Ibrahim Al-Harbi⁽¹⁾ on the authority of Abu Tha'labah⁽²⁾ from The Messenger of Allah "peace be upon him" that he said: "The beginning of your religion is Prophethood and mercy, followed by kingdom and coercion, and then kingdom to be inherited, in which adultery and Kazz would be made lawful."⁽³⁾

He means to make lawful the illegal sexual relations. They said: That is likely, and Allah knows best, to make lawful the marriage of the Muhallil, and the like of those things which make lawful the illegal sexual relations. No one among this ummah makes lawful the plain adultery. He also does not mean to make lawful the mere act. To make lawful a thing is intended to describe the one who thinks that this thing which he does is lawful.

That is the reality. This kingdom to be inherited which came after the kingdom and coercion, occurred towards the end of the age of the Tabi'is. In those days, some men in power gave fatwa of making lawful the marriage of Muhallil and its like. But before that time, no one in the Muslim ummah had ever issued such a fatwa.

This is confirmed with the fact that in the famous Hadith narrated on the authority of Ibn Mas'ud "Allah be pleased with him" The Messenger of Allah "peace be upon him" cursed the usury devourer, its witnesses and scribe⁽⁴⁾, as well as the Muhallil and the Muhallal (such as marries a woman who is irrevocably divorced thrice by another to make it lawful for her to return to her former husband; and such as divorces his wife irrevocably and accepts this operation).⁽⁵⁾

It is narrated by Ahmad on the authority of Ibn Mas'ud "Allah be pleased with him" from The Messenger of Allah "peace be upon him" that he said: "Never usury and adultery emerge among a people but that they (those people) incur upon themselves the punishment of Allah Almighty."⁽⁶⁾ This gives the impression that what is made lawful belongs to adultery, and the 'Aynah belongs to usury.

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them", in a Mawquf and Marfu' Hadith, that he said: "A time will come upon the people, in which five things will be made lawful: they will make lawful the wine under other names to be given to it, the illegal gain under the name of the gift, the killing under the name of suspicion, adultery under the name of marriage, and usury under the name of trade."

(1) Ash-Shatharat, 2:190.

(2) Ash-Shatharat, 1:82; At-Taqrīb, 2:404.

(3) Sunan Ad-Darimi, Hadith no. 2101.

(4) Sunan At-Tirmithi, Hadith no. 1223.

(5) Sunan Abu Dawud, Hadith no. 2076; Sunan Ibn Majah, Hadith no. 1934, 1935.

(6) Ahmad in his Musnad, Hadith no. 3809.

The first three of those mentioned above have become habitual: as for the illegal gain, which is something to be given to the ruler and the governor and their likes, under the name of a gift, it is evident. To make lawful the killing under the name of terrorism, which is called policy of respecting the dominion by the wrongful rulers, is also apparent. It is a kind of killing, invented by the people themselves.

The Messenger of Allah "peace be upon him" ascribed such attributes to the Khawarij when he said: "From the offspring of this man will be some who will recite the Qur'an but the Qur'an will not reach beyond their throats (because they will recite without understanding or acting on it). Moreover, they will renegade from the religion as an arrow goes through the game's body. They will kill the Muslims but let alive the idolaters."⁽¹⁾

It may be that it is those intended by the statement of The Messenger of Allah "peace be upon him" in the Hadith narrated on the authority of Abu Hurairah "Allah be pleased with him": "Be prompt to do good deeds (before you would be occupied from them) by afflictions which would be as the parts of the dark night, During which, a man would be a Muslim in the morning and a disbeliever in the evening, or he would be a believer in the evening and a disbeliever in the morning, and would sell his faith for world benefits."⁽²⁾ This is confirmed by the comment put by Al-Hasan in which he said: "That is, in the morning, he makes inviolable the blood and honor of his brother; and in the evening, he makes that lawful, and so."

Killing was enforced, in a way different from the Sunnah of Allah and His Messenger "peace be upon him", by the one called Al-Mahdi Al-Maghribi, who alleged he was the one of whose emergence the Hadiths gave the glad tidings. It was made a punishment for eighteen kinds (of evils in his doctrine), including the telling of lies, pliancy, failure to comply with the command of him whose command should be implemented, and so.

He was given the pledge of allegiance for that. He used to instruct and remind them at every time; and whoever did not attend should be punished, and if he insisted (on nonattendance), he should be killed. Whoever did not get disciplined with the same ethics he disciplined him, should be lashed with the whip again and again. But if he was too obstinate to accept the commands, he should be killed. Whoever was pliant to protect his brother or father, or any such like, should also be killed.

Furthermore, whoever was doubtful about his infallibility or that he was the same Mahdi of whose emergence the glad tidings were given, should be killed. If one disobeyed him, he would order his companions to strip him off

(1) Sahih Al-Bukhari, Hadith no. 3344; Sahih Muslim, Hadith no. 1064; As-Silsilah As-Sahihah, Al-Albani, Hadith no. 270-1956.

(2) Sahih Muslim, Hadith no. 118; At-Tirmithi, Hadith no. 2195, 2197, 2198; Ahmad in his Musnad, 2:523.

his clothes. Killing, thus, represented the greater part of his punishment, as you see.

He was of the opinion not to pray behind an Imam or a Khatib who takes charge for his Imamate or Khutbahs; and the same is true of putting on the thin garments, whatever lawful they might be. It is related from him, before his danger was aggravated, that he did not pray behind the Khatib of Aghmat for the same reason. When a new Khatib came in a coarse dress, indicative of humbleness, he also did not pray behind him.

It was of the opinion to leave the doctrines (of the different juristic schools), and rather follow the opinions of the Zhahiri school, which is, according to the scholars, a religious innovation that appeared in Shari'ah after the first two centuries. According to him too, to persist in a simple item of falsehood is equal to persistence in falsehood entirely.

It was mentioned in the book of Imamate, that he is the Imam, and his companions the strangers, intended by the statement of The Messenger of Allah "peace be upon him": "Islam started as a stranger⁽¹⁾, and it will return to be as a stranger (as it started in view of the scarcity of such as act upon it): so, blessed be the strangers (who act upon it)."⁽²⁾

The following was said also in the mentioned book: "Allah sent Al-Mahdi and his obedience is pure and clean, the like of which has never been seen earlier or later: with him the heavens and the earth have been established. He has no opposite, nor a like nor a rival." Of course, he has told a lie, for Al-Mahdi is Jesus "peace be upon him".

He also invented a Tathwib at the crack of dawn, i.e. his saying: "The morning has come, all perfect praise be to Allah", to notify that the dawn has risen, so that the people should come to do the act of worship, attend the congregational prayer, and start their day and all things they are commanded to do. But the later generations specified it to the Athan to prayer. To the people of Morocco, the portion invented in Alexandria was transmitted; and became habitual in the mosques of Andalusia and others.

He had many other inventions and innovations in the religion than those mentioned above. In all of this, he depended on his personal opinion, concerning the acts of worship and customs and habits, even though he claimed he did not depend on his personal opinion. That is indeed contradictory. Thus, it seems that all those things belong to innovation in religion.

That Zakah is (too difficult for the people to pay that it puts them to) debt, it should be known that the debt is what is to be paid, whether it is a

(1) That is the interpretation of An-Nawawi, in his Sharh on Sahih Muslim [2:176].

(2) Sahih Muslim, Hadith no. 145, 146; Ahmad in his Musnad, Hadith no. 3784; At-Tirmithi, Hadith no. 2629, 2630; Ibn Majah, Hadith no. 3986-88; Ad-Darimi, Hadith no. 2755; Al-Albani in Sahih Al-Jami' 2:53.

financial obligation or a mulct. The viceroys used to impose such Zakah on the people, and it was fixed at a definite amount of money, regardless of the littleness or muchness of the property on which Zakah is due, or being or being not too little to amount the Nisab. They used to punish them for withholding it in whichever state they might be even to death. That this is a religious innovation is self-evident.

As for raising voices in the mosques, it originates from the innovation of wrangling in religion. Knowledge, usually, should be recited and heard in the mosques; and among its proprieties is not to rise voices anywhere other than the mosques. Then, what do you think it to be in the mosques? Wrangling in it indicates to extra inclination, since it is not validated by Shari'ah in principle. Among the beliefs of Islam stipulated by the scholars, is to abandon disputation and wrangling in the religion. That is, not to talk about things concerning which there is no permission to talk, like talking about the imprecise attributes, acts and others, and the imprecise issues of the Holy Quran.

It is narrated on the authority of 'A'ishah "Allah be pleased with her" that she said: The Messenger of Allah "peace be upon him" recited this verse: **{He it is who has sent down to you the book: in it are verses basic or precise (of established meaning); they are the foundation of the book: others are allegorical and imprecise. But those in whose hearts is perversity follow the part thereof that is allegorical, seeking discord, and searching for its hidden meanings.}** [Al 'Imran 7] then he commented: "As for those who might follow the allegorical verses, you must be warned of them. It is those whom Allah meant in his Qur'an."⁽¹⁾

It is narrated on the authority of Abu Umamah "Allah be pleased with him" that the Messenger of Allah "peace be upon him" said: "No people had been led astray after the right guidance in which they were, but that they would be given to disputation (and pointless arguments)." Then, he "Allah's blessing and peace be upon him" recited the following Holy Statement: **{And they say: "Are our gods best, or he?" This they set forth to you, only by way of disputation: yea, they are a contentious people.}** [Az-Zukhruf 58]⁽²⁾

It is narrated from The Prophet "peace be upon him" that he also said: "Do not argue in the Qur'an, since argumentation therein is a disbelief."⁽³⁾

He "peace be upon him" said too: "Verily, the parts of the Qur'an

(1) Al-Bukhari, Hadith no. 4547; Muslim, Hadith no. 2665; At-Tirmithi, Hadith no. 2994; Abu Dawud, Hadith no. 4598; Ibn Majah, Hadith no. 47.

(2) At-Tirmithi, Hadith no. 3253; Ibn Majah, Hadith no. 48; Fa'id Al-Qadir, Hadith no. 7934; Ahmad in his Musnad, 5:252-256.

(3) It is a part of an authentic Hadith which begins as follows: "The Qur'an is recited in seven modes of recitation. So, do not argue in the Qur'an, since argumentation therein is a disbelief." See Fa'id Al-Qadir, Hadith no. 6185.

confirm each other. So do not make it conflict each other. Accept what you have known of it, and entrust what you have not know of it to the one who knows it well.”⁽¹⁾

The Prophet "peace be upon him" further said: "Recite (and study) the Qur'an as long as you agree about its interpretation, but if you have any difference of opinion (regarding its meaning) then you should stop for the time being.”⁽²⁾

It is narrated by Ibn Wahb on the authority of Mu'awiyah Ibn Qurrah that he said: "Beware of falling in disputes in the religion, since they make fruitless the deeds."

In his comment on Allah's saying: **{Amongst them We have placed enmity and hatred till the Day of Judgment}** [Al-Ma'idah 64], An-Nakh'i said: "He means the dispute and wrangling in the religion."

It is narrated on the authority of Ma'n Ibn 'Isa⁽³⁾ that he said: One day, Malik left the mosque and he was reclining against his hands. A man called Abu Jadirah belonging to the Murji'ah caught him and said: "O Abu 'Abdullah! Listen to something from me therewith I would argue you depending upon my opinion." He said: "Beware, lest I would be a witness against you." He said: "By Allah, I intend only the truth. If it is right, then, take it, otherwise, leave it." He said: "Then, if you win over me (what should I do?)" he said: "Then, follow me." He said: "Then, if I win over you (what should you do?)" he said: "Then, I would follow you." He said: "Then, if a man comes to us and argues us until he wins over us (what should he do?)" he said: "Then, he would follow us." On that Malik said: "O servant of Allah! Allah Almighty sent Muhammad "peace be upon him" with one religion, and I see you are moving from one thing to another."

'Umar Ibn 'Abd-Al-'Aziz said: "Whoever exposes his religion to disputes and argumentations is apt to move from one state to another."

Malik said: "The wrangling in the religion is of no significance."

The wrangling in the religion is thus condemned, and to make it praiseworthy and regard it one of the advantageous sciences absolutely is an aspect of the innovation in the religion. Since following the inclination is the basis for the innovation in the religion, the debater then strives his utmost in argumentation to win over his opponents; and that is why the voices raise in the mosques.

It may be argued: You have regarded raising voices one of the branches and attributes characteristic of wrangling only, although it is not so. Voices

(1) It is narrated on the authority of 'Abdullah Ibn 'Amr. See At-Tabarani in Al-Awsat, Hadith no. 5378; Jami' Al-Ahadith, As-Suyuti, Hadith no. 26244.

(2) It is narrated on the authority of 'Abdullah Ibn Jundub: see Al-Bukhari, Hadith no. 5060, 5061, 7364, 7365; Muslim, Hadith no. 2677; Ad-Darimi, Hadith no. 3359-61; Ahmad in his Musnad, 4:313; Ibn Hibban in his Sahih, 2:69.

(3) Ash-Shatharat, 1:355; At-Taqrīb, 2:267.

could also rise in the discussion of knowledge, and that is why rising of voices is disliked in the mosques, whether in discussing knowledge or anything else.

According to Ibn Al-Qasim in Al-Mabsut: "I saw Malik having criticized his companions for raising their voices in the mosque."

Two reasons were given for that by Muhammad Ibn Maslamah. The first is that he liked to deem the mosque far beyond all of such things, since one is commanded to exalt and respect it. The other is that it is a building for prayer, and we are commanded to go to prayer with tranquility and reverence. So, tranquility and reverence are required, more preferably, in the same place where the prayer is performed.

It is narrated by Malik that 'Umar Ibn Al-Khattab "Allah be pleased with him" built an open hall outside the mosque and called it Al-Butaiha', and said: "Whoever likes to clamor, recite poetry or raise his voice, let him come out to this space." Being so, how should the condemnation of raising voices in mosque be specific to the forbidden wrangling only?

In reply to this, two points should be made:

The first is that the rising of voice is characteristic of the condemned debate, for the most part, because it springs, in the principal, from the inclination of the debater to his opinion. The speech in which voices could rise most in the mosques is the talk in what is not permitted, i.e. the wrangling highlighted by the Hadith previously mentioned.

Furthermore, no science drew much talk round it in the early times more than the scholastic theology, which was vulnerable to the arrows of criticism and condemnation. It is narrated on the authority of 'Amirah Ibn Abu Najiyah Al-Misri that he saw some people talking in the mosque with high voices, thereupon he said: "Those people have disgusted worship and dedicated themselves to scholastic theology. O Allah! Cause 'Amirah to die!" he then died in the same year during Hajj. A man saw in a dream somebody saying: "On this night, half the people died." It was the very night on which this 'Amirah died.

The other is that even if we admit that the mere rise of voices does not indicate to what we have already said, it would be also regarded an innovation in the religion, since to make it permissible to raise voices in all sciences without forbiddance is one of the new innovations.

As to give priority to the youth over the old (in the matters of knowledge), it is an innovation, without doubt. It goes back to the abundance of the ignorant versus the lack of the learned. The youth, whether always or most frequent, is inexperienced who has not yet cut his teeth in the art to the point that could make him attain the rank of these firmly established in it.

That is so in case the youth is construed to refer only to youngness, as stated by Ibn Mas'ud "Allah be pleased with him". But it may also be construed to refer to the immaturity in the art, as shown in his statement "peace be upon him": "...and the chief of the people is the most foolish

among them”, and: “...and the tribe is led by the most wicked person among them”, and: “...and the public offices are entrusted to those unfit for them”. However, the meaning is the same in both cases.

In this context, it is related from Shaykh Abu Madyan that he was asked about the youth from whom the Shaykhs of Sufism have been forbidden, thereupon he said: “The youth is he who is still immature in the way (of Sufism), even though he is as old as eighty years of age.”

Thus, to give priority to the youth over the old (in knowledge) is the same as to give priority to the ignorant over the learned. That is why they were described as (the weak-minded) “who will recite the Qur’an, even though it will not go beyond their collar-bones (as they will neither understand nor act upon its principles and laws).” It is the same context of the other Hadith of the Khawarij in which he said: “There will emerge from the offspring of this man a people who will strive in prayer and fasting so much that you will consider your prayer and fasting trifling in comparison to theirs. They will recite Qur’an but it will not go beyond their throats (because they will not act on it). They will desert Islam as an arrow goes through a victim’s body.”⁽¹⁾

That the last generation of this ummah would curse the foremost of it is also apparent as mentioned by some scholars about many deviant and straying sects. For instance, the Kamiliyyah, a Shiite faction, rendered disbelievers the Companions “Allah be pleased with them” when they did not give the caliphate to ‘Ali “Allah be pleased with him” just after the death of The Messenger of Allah “peace be upon him”, and rendered disbeliever ‘Ali Ibn Abu Talib when he did not take his right in it.

It is narrated on the authority of Mus‘ab Az-Zubair⁽²⁾ and Ibn Nafi‘⁽³⁾ that they said: Once, Harun Ar-Rashid entered the mosque (of Medina) and performed prayer, and then went to the grave of The Messenger of Allah “peace be upon him” and greeted him. Then, he went to the assembly of Malik “may Allah have mercy upon him” and greeted him. Then, he addressed him saying: “Tell me: does anyone who abuses the Companions of The Messenger of Allah “peace be upon him” have a right in the Fai’ (the spoils gained without fighting)?” he said: “They have neither a right in the Fay’, nor a dignity, nor any good whatsoever.” He asked him: “Then, Why have you said so?” he said: “Because Allah Almighty says: **{Muhammad is the Messenger of Allah; and those who are with him are strong against disbelievers, (but) compassionate amongst each other... their similitude in the Gospel is: like a seed which sends forth its blade... (filling) the sowers with wonder and delight. As a result, it fills the disbelievers with rage at**

(1) Sahih Al-Bukhari, Hadith no. 3344; Sahih Muslim, Hadith no. 1064; As-Silsilah As-Sahihah, Al-Albani, Hadith no. 270-1956.

(2) Ash-Shatharat, 2:86; At-Taqrīb, 2:252.

(3) Ash-Shatharat, 2:36; At-Taqrīb, 1:455.

them.} [Al-Fath 29] No doubt, such as abuses them is a disbeliever, and no disbeliever has a right in the Fai'."

Once again, he supported his argument with Allah's saying: **{(Some part is due) to the indigent Muhajirs, those who were expelled from their homes and their property, while seeking Grace from Allah and (His) Good Pleasure, and aiding Allah and His Messenger: such are indeed the sincere ones; But those who, before them, had homes (in Medina) and had adopted the Faith, show their affection to such as came to them for refuge, and entertain no desire in their hearts for things given to the (latter), but give them preference over themselves, even though poverty was their (own lot). And those saved from the covetousness of their own souls; they are the ones that achieve prosperity. And those who came after them say: "Our Lord! Forgive us, and our brethren who came before us into the Faith, and leave not, in our hearts, rancor (or sense of injury) against those who have believed. Our Lord! You are indeed Full of Kindness, Most Merciful."}** [Al-Hashr 8-10] He said: "It includes his Companions from among the Muhajirs who immigrated with him, and the Ansar who supported him and his Companions in Medina."

As for the emergence of the imposters, some of them had already appeared in the Abbasid era, here, a mention may be made of Ma'd, one of the 'Abdiyyah⁽¹⁾: it is related from him that he commanded the Mu'aththin to say in the Athan "Ma'd is the Messenger of Allah" instead of "Muhammad is the Messenger of Allah", thereupon the Muslims intended to kill him. But they saw it better to send him to Ma'd himself to see whether he did so at his command. When he was brought to him he said: "Return their Athan to them, may Allah curse them."

No doubt, whoever claims he is infallible is like him who claims he is a Prophet; and whoever claims that with him the heavens and the earth have been established has indeed exceeded the claim of Prophethood. That is the one called Al-Mahdi Al-Maghribi.

In the recent time, a man called Al-Fazazi claimed he was a Prophet, and brought many evidences to give the false impression of miracles and supernatural events, and he was followed by a group of laymen. One of the students belonging to the city which was stricken by that affliction did his best to interpret Allah's saying: **{Muhammad is not the father of any of your men, but (he is) the Messenger of Allah, and the Seal of the Prophets}** [Al-Ahzab 40] in a way that could probably allow that a Prophet be sent after The Messenger of Allah "peace be upon him". But this inventor of lies was killed at the hand of our Shaykh Ja'far Ibn Az-Zubair.

As for leaving the community (of Muslims), it is an apparent innovation. For this reason, the one who leaves the established community of Muslims is

(1) He means Al-Mu'izz Li Din Allah, the first Fatimid caliph.

rewarded with death like the death of the pre-Islamic days. It emerged among the Khawarij and those who followed their approach, like ‘Abidiyyah and others.

In sum, most events The Messenger of Allah “peace be upon him” told they would take place, prevail and spread are invented things intended thereby to imitate the things ordained by Shari‘ah in as much as they belong to worship rather than habits and customs. That is indeed the difference between the sin which is a religious innovation, and the sin which is not so.

Therefore, as for the habits and customs, in terms of being so, there is no religious innovation in them. But when they are utilized in worship, or included in the acts of worship, they turn into religious innovations. In this way, both opinions agree, with no difference. Success lies with Allah Almighty.

2.7. The Innovation As A Kind Of Legislation For Worship

It may be argued that the innovation (in religion) may be a kind of legislation which addresses the side of worship in the normal habits, in terms of being done at a reasonable specific time. Then, validating or making it permissible depending on the opinion is apparent, like the religious innovations of Khawarij and all similar deviant sects that swerved from the true path.

A mention may be made of the reason-based appreciation and depreciation, and the abandonment of the deed which depends only on a solitary story, and their like. That it is a religious innovation is clear, and there is no need for further clarification. But another point needs to be made here. The sins, unfavorable acts and evils may appear and spread, and be acted upon among the people without disapproval from anyone, be he among the private or the laymen. Being so, should or should not such be regarded a religious innovation?

The answer is that this question has two perspectives:

The first pertains to its coming to existence, and belief in it in principal: from this perspective, it is, without doubt, a violation rather than a religious innovation. That the forbidden or unfavorable act prevails and spreads does not mean that it is a religious innovation. Its being a violation remains, whether or not it appears, becomes famous and common to the people, and the same is true of acting upon it permanently or temporarily. The religious innovator may leave his religious innovation, whereas the violator may persist in his violation to death, Allah forbid!

The other pertains to its external presumptions. There may be presumptions which make it a cause of an evil, at present or in the future, and both go back to the belief of the religious innovation.

The present evil is realized by two things:

The first is that the private among the people in general, and the scholars in particular, act upon it, and cause it to emerge. This evil afflicts Islam, and one of its outcomes is that the laymen always regard it easy and permissible. The scholar who holds himself in the position of giving fatwa does so by his deeds as well as by his words. If the people look at him, while acting upon a violation, they would assume it to be permissible, under the claim that had it been forbidden or unfavorable, surely, the scholar would have refrained from it.

But if he states that it is forbidden or unfavorable, in this case, his deed would oppose his word. The layman, thus, may say that the scholar violates

Shari'ah by that deed, which is permissible for him in particular; and those are the rational among the people, and how few are they. He also may say that the scholar might have found a concession in it: had it been forbidden as he says, surely, he would not have done it. Comparing his word with deed, he will imitate the deed, since the deed is more effective than the word in this respect, as shown in Kitab Al-Muwafaqat. Thus, the layman will do the same deed of the scholar, out of his good assumption of him, thinking it to be permissible. Those represent the majority.

The deed of the scholar, then, becomes a proof for the layman, just as his statement is evidence, in general, concerning the issuance of fatwa. the deed on the one hand, and the belief of permissibility under suspicious evidence on the other hand, combine upon the layman. That is, indeed, the religious innovation, in essence.

Such has taken place among a group who distinguished themselves from the laymen by holding themselves in the rank of scholars. for instance, they made the acting upon the religious innovation of congregational supplication and the devotional recital after the (obligatory) prayers, a proof for the permissibility of acting upon the religious innovations in general, some of which are good. Some of those followed Sufism, and made it permissible to worship Allah with the innovated acts of worship, and supported their argument with the devotional recital after the prayer, as has previously been shown.

Some of them thought that they were acted upon only because there was a support for them; thereupon they compiled them in a book and made them a part of jurisprudence.

All of this goes back to the abstention of the private from clarification, and acting upon those innovations heedlessly. That is why the slip of the scholar is regarded heinous. They said: "Three things ruin the religion: the slip of the scholar, the wrangling of a hypocrite with the Qur'an, and the straying Imams."

Of course, the adverse consequence of this returns upon the world. The slip of the scholar is open to two interpretations:

The first is his slip in theory, so that he would give fatwa in opposition to the Book and the Sunnah on which the people follow him. That is indeed the fatwa and words.

The other is his slip in practice, i.e. to act upon the violations, on which he is also followed according to the mentioned interpretation. In consideration, it has the same position of giving fatwa in words. Although he learns that he is followed and looked upon by the people, he does what is forbidden by the lawgiver, as if he gives fatwa by it.

The second division of the present evil is that the laymen act upon it, and it spreads and becomes common among them. Since the private neither disapprove of it, nor care about it, given their capability of disapproval, the

layman does it. That is because if there is something whose ruling is not known to the layman, and in case he does it, it would not be disapproved of from him, he will believe that it is permissible, and even good, or, at least, valid, under Shari'ah; unlike when it is disapproved of from him, in which case, he thinks it is defective, or, at least, not valid, under Shari'ah, or something not done by the Muslims.

If the deed is not disapproved by those who should disapprove of it, and it further emerges and prevails, and the one who is supposed to disapprove of it is not fearful, and is rather capable of doing it, it will indicate, in the sight of the laymen, that it is permissible, in which there is no blame. This, to be sure, gives rise to an invalid thought, by interpretation, the like of which could convince the laymen. Thus, the violation becomes a religious innovation, as in the first division.

It is proven in the fundamentals that the scholar among the people stands in the same position of The Messenger of Allah "peace be upon him". The scholars are the heirs of the Prophets. As well as the Prophet "peace be upon him" guides to the rulings with his word, deed and validation, his heir, the scholar, guides to the rulings with his word, deed and validation.

That is considered by some of the forbidden things which have been invented in the mosques, and since the scholars did not disapprove of them, or since they acted upon them, they turned into items of Sunnah and things valid under Shari'ah. a mention may be made of their addition, to the Athan, of such phrases as "The morning has risen, all perfect praise be to Allah", "Come to perform ablution for prayer", and "Be ready (for prayer)", and the supplication of the Mu'aththins at night.

They may support their argument for this with what is done by the people, and what is inserted in the slips of Ibn Sahl, heedless of that for which he is criticized. We have spent an independent part in that topic, and everyone who likes further details in the issue could see it; and success lies with Allah Almighty.

It is narrated on the authority of Abu Umair Ibn Anas from a paternal uncle belonging to the Ansar that he said: The Messenger of Allah "Allah's blessing and peace be upon him" was concerned with the matter of the prayer, and how he could gather the people to offer it (at its due time). It was said to him: "Set up a banner just at the time of the prayer: if they see it, they will inform one another." But, this did not appeal to him. A mention of the horn was made to him, i.e. the horn taken by the Jews, but he did not admire that, and said: "This is adopted by the Jews." A mention of the bell was made to him, but he said: "It is taken by the Christians." Abdullah Ibn Zaid turned away, and he was anxious on account of the anxiety of the Messenger of Allah "Allah's blessing and peace be upon him" because of that. He was made to see the Athan in his dream. In the morning, he went to the Messenger of Allah "Allah's blessing and peace be upon him" and told him saying: "O Messenger

of Allah! I was in a state between sleep and wakefulness when somebody came to me and showed me the Athan.” On the other hand, Umar Ibn Al-Khattab had seen that a short while earlier, and concealed it for twenty days, and when he told the Messenger of Allah “Allah’s blessing and peace be upon him” of that he asked him: “What prevented you from telling me?” he said: “Abdullah Ibn Zaid preceded me (to tell you), and so I felt shy.” The Messenger of Allah “Allah’s blessing and peace be upon him” said: “O Bilal! Stand and see what Abdullah Ibn Zaid is going to tell you, and do it.” In this way, Bilal pronounced the Athan. Abu Umair said that the Ansar allege that had Abdullah Ibn Zaid not been ill on that day, the Messenger of Allah “Allah’s blessing and peace be upon him” would have appointed him as the Mu’aththin.⁽¹⁾

It is narrated on the authority of Anas "Allah be pleased with him" that he said: They (the Muslims) talked about (the possibility of) discriminating the prayer times with something they know. They talked about (the possibility of) setting fire or ringing a bell. However, Bilal was ordered to repeat the wording of Athan (call to prayer) twice, and to pronounce the wording of Iqamah (prayer establishment) once.⁽²⁾

You see then how the Prophet “peace be upon him” disliked the affairs of the disbelievers in this respect, and did not imitate them. So, it was due on him who claimed knowledge, to disapprove of what was invented thereof in the mosques, whether or not it was intended to notify the people about the due times of the prayers. As for the banner, it was used to notify the people about the due times of prayers, and it is common in the Maghrib territories, so much that the Athan with it has become subservient.

As for the trumpet, it is used as a notification, in Ramadan, of sunset and the due time of breaking fast. It is used also in Maghrib and Andalusia to notify about the due time of the beginning and end of Suhur. The Prophetic Hadith made the call pronounced by Ibn Umm Maktum a notification of the end of Suhur. In this context, it is narrated on the authority of Ibn ‘Umar "Allah be pleased with them" that he said: The Messenger of Allah “peace be upon him” said: “Bilal pronounces the Athan when it is still night (before dawn), so eat and drink till the next Athan is pronounced (or till you hear Ibn Umm Maktum's Athan)." Ibn Shihab said: Ibn Umm Maktum was a blind man, who would not pronounce the Athan till he was told that it was dawn.⁽³⁾

It is narrated by Muslim and Abu Dawud on the authority of ‘Abdullah Ibn Mas‘ud "Allah be pleased with him" that he said: The Messenger of Allah

(1) Sunan Abu Dawud, Hadith no. 498, 499; Sunan At-Tirmithi, Hadith no. 189; Sunan Ibn Majah, Hadith no. 706; Sunan Ad-Darimi, Hadith no. 1187; Ahmad in his Musnad, 4:43.

(2) Sahih Muslim, Hadith no. 378; Sahih Al-Bukhari, Hadith no. 605, 606, 607; Sunan At-Tirmithi, Hadith no. 193; Abu Dawud, Hadith no. 508, 509; Ibn Majah, 729-32; Sunan Ad-Darimi, Hadith no. 1193-95.

(3) Sahih Al-Bukhari, Hadith no. 617, 620, 622, 1917.

“peace be upon him” said: “The Athan of Bilal (or the call pronounced by Bilal) should not stop anyone of you from having his Suhur (night meal). However, he pronounces Athan at night (or calls at night) in order to turn the standing one from among you (for the night prayers), and awaken the sleeping one from among you.”⁽¹⁾

The Athan pronounced by Bilal "Allah be pleased with him" then was made to alert the sleeping one to take heed of what he needs, of Suhur and any such like. Thus, what is the significance of the trumpet? It was disliked by The Messenger of Allah “peace be upon him”.

The same is true of the fire which is always raised at night, and by the coming of ‘Isha’ and Morning in Ramadan, as notification of their coming. It is always kindled inside the mosque, and at the time of Suhur, raised in the minaret, as notification of the due time, given that the fire is, in principal, the slogan of the Magians.

Ibn Al-‘Arabi said: “The first to take incense in the mosque was Banu Barmak, Yahya Ibn Khalid and Muhammad Ibn Khalid, who were entrusted, by the ruler (Haron Ar-Rashid), to dispose of the religious affairs: Muhammad was the porter, and Yahya the vizier, and then his son Ja‘far was appointed a minister too. They were Batinites, who believed in the opinions and doctrines of philosophers. They revived Magianism, and took incense in the mosques, mixed with Khaluq. They invented censers, which they filled with fire. Later on, this tradition of censuring was transmitted to Andalusia and became fixed there.”

In sum, kindling fire in the mosques is not habitual to the righteous predecessors, nor was it used to adorn the mosques, under any circumstances. But later on, using it in adornment of mosques was invented, and became one of the symbols by which Ramadan is exalted. The laymen believed in that, the same as they believed in using the trumpet in the mosques. Some asked about it, whether or not it is an act of Sunnah. No one doubted that the majority of the laymen believe that such things are valid, under Shari‘ah, in general, in the mosques. That is because nothing other than the fact that the private did not disapprove of it.

On the other hand, when the bell was not used for notification, Satan made another scheme concerning it. It was hung in the mosques, and considered among the instruments on which the fire would be kindled, and the mosques would be decked with ornaments, just as the churches and synagogues are decked with ornaments.

The same applies to lighting candles in ‘Arafah on the eighth night, which is one of the hideous religious innovations, according to An-Nawawi, and a

(1) Sahih Muslim, Hadith no. 1093; Sunan Abu Dawud, Hadith no. 2346, 2347; Al-Bukhari, Hadith no. 621, 5298, 7247; Sunan At-Tirmithi, Hadith no. 706; Sunan Ibn Majah, Hadith no. 1696; Ahmad in his Musnad, Hadith no. 3654.

shameful error, in which many kinds of shameful acts are combined, such as: to waste the property improperly, to demonstrate the rites of the Magians, to have men and women mix together with the candles between them, and their faces bare, to begin 'Arafah before its prescribed time.

At-Tartushi mentioned some of those measures, as regards kindling the fire in the mosques in Ramadan, in addition to other shameful acts like it. Thus, what is the value of all of this, compared with the disapproval made by Malik "may Allah have mercy upon him" of the Mu'aththin's hawking, or beating the door to notify of the due time of dawn, or putting off the garment? Those are, to be sure, less significant and less dangerous than the emergence of invented religious innovations, which the laymen may believe to be acts of Sunnah, simply because the scholars and the private do not disapprove of them, and rather act upon them.

As for the future evil, it ensues from the assumption that the people act upon a violation, in a way that the young may be brought up on seeing it salient (in the society), and one may embrace Islam while seeing it prevalent and common among the people, thinking it to be permissible or valid, under Shari'ah. No doubt, when the violation prevails among a people, without being disapproved of, the one, ignorant of it, will make no difference between it and the other permissible deeds and acts of worship.

It is unfavorable, in the sight of the scholars, that the disbelievers should be money-changers in the markets of the Muslims, because their dealings are based on usury. So, if anyone of the laymen sees them working money-changers and merchants in our markets, without disapproval of that conduct, he will think that this is permissible.

Of course, you see the famous opinion of Malik in our country, i.e. it is permissible to sell the ornament made of gold and silver for gold and silver except weight by weight, and there is no consideration for the value of smothery. But the smiths in our countries, all or most of them, sell and buy on the basis of giving superiority to the value of slithery, thinking it to be permissible for them.

However, the scholars, among the righteous predecessors, and those who came after them, refrained from such things. They abandoned some acts of Sunnah, lest the laymen would believe in them something more grievous than the abandonment of those acts of Sunnah. They also left the permissible deeds lest others may think in them something not valid under Shari'ah. This has previously been clarified in Kitab Al-Muwafaqat.

They mentioned that 'Uthman "Allah be pleased with him" did not shorten the prayer on journey. It was said to him: "Have you not shortened the prayer when you were with The Messenger of Allah "peace be upon him"?" he said: "Yes (I have done). But now, I am the Imam (and ruler) of the people, and the Bedouins and desert dwellers see me praying only two rak'ahs, thereupon they may think that it has been enjoined as such."

According to At-Tartushi once again, "Consider, may Allah bestow mercy upon you! There are two opinions about shortening the prayer:

Some are of the opinion that it is an obligatory duty, and others are of the opinion that it is an act of Sunnah. Whether it is an obligatory duty or an act of Sunnah, 'Uthman "Allah be pleased with him" dared to abandon it when he felt afraid of the evil consequence, that the people may think the obligatory duty is only two rak'ahs."

The Companions "Allah be pleased with them" did not oblige themselves to offering a sacrifice.

Huthaifah Ibn Asad said: "I have seen that both Abu Bakr and 'Umar "Allah be pleased with him" did not offer a sacrifice, lest the people would think it to be obligatory."

According to Bilal "Allah be pleased with him": "I do not care to sacrifice two rams or even a roaster."

It is narrated on the authority of Ibn 'Abbas that he used to buy flesh for a Dirham on the day of Sacrifice, and say to 'Ikrimah: "Whoever asks you about that, tell him that it is the sacrifice of Ibn 'Abbas."

According to Ibn Mas'ud "Allah be pleased with him": "I abandon sacrifice, even though I am one of the wealthiest among you, lest it is thought to be obligatory."

According to Tawus "may Allah have mercy upon him": "I have never seen a family having flesh, bread and knowledge more than that of Ibn 'Abbas "Allah be pleased with them": although he slaughters an animal every day, he does not slaughter a sacrifice on the 'Eed day. He did so lest the people would think it to be obligatory. No doubt, he was an Imam to be imitated and followed by the people."

At-Tartushi said: "The same as previous. The scholars of Islam have two opinions about the sacrifice. One says that it is an act of Sunnah; and the other goes as far as to regard it obligatory. But the Companions dared to abandon the act of Sunnah for fear the people would construe it improperly, and think it to be an obligatory duty."

According to Malik "may Allah have mercy upon him" in his Muwatta', as regards the six fasts to be observed after the month of Ramadan, he had never seen anyone of the men of knowledge and jurisprudence having fasted them. He said: "No report about that has been handed down to me from anyone of the righteous predecessors. The men of knowledge dislike that for fear it would turn into a religious innovation, in the sense that the ignorant among the people may join them with the fasts of Ramadan, even though they are not a part of it at all, if they see the scholars doing so."

The speech of Malik in this context does not indicate that he did not

memorize the Hadith⁽¹⁾ as some falsely thought. On the contrary, his speech gives the impression that he knew it well. But he did not see it better to act upon it, whatever favorable it might be, in principal, lest it would lead to what he mentioned, the same as the Companions "Allah be pleased with them" did in the sacrifice, and Uthman in performing the prayer in full on journey.

Something, more amazing, was related by Al-Mawardi, even though it represents the basic rule. He mentioned that it was the habit of some people that whenever they prayed in the hall or the corridor of the mosque of Basrah, and raised their heads from prostration, they would wipe dust off their foreheads, because at that time, it was covered with earth. Ziyad then ordered that gravel be thrown in the hall of the mosque, and said: "I do not feel safe that after a long time, the young would think that wiping the forehead off the traces of prostration is an act of Sunnah in prayer." That is so in something which is permissible anyway. Then, what do you think it to be in what is favorable or forbidden?

The news has reached me, at that time, from a new convert to Islam, that he said about wine: "It is not unlawful, nor is there any blame in it. The blame, if there is any, is to lead to anything invalid, such as killing and its like of crimes."

If this thought is assumed by those brought up in the field of Islam, it would be a disbelief, because it means to disapprove of the indisputably essentials of the religion. For this reason, the rulers did not disapprove of drinking or even keeping it among the non-Muslims.

The religious innovation is meaningless unless the deed is rendered valid, under Shari'ah, by the religious innovator, even though it is not so. It is related, for example, on the authority of Al-Qarafi, that the non-Arabs join the six fasts of Shawwal with the fasts of Ramadan, for in them, they keep the same state of Ramadan. The same case takes place in our country, as shown in the first section of this book. The sin of all of this is incumbent upon the scholars and private who do not disapprove of those innovations, or act upon all or some of them at the sight of the people. By abstention from disapproval, or by acting upon all or some of them, they contribute in the publicity of the belief in those sins.

Being so, the religious innovation then springs from four things:

The first, which is the most apparent, is to be invented by the religious innovator himself.

The second is that the scholar (or anyone of the private) acts upon it even though it is a violation, in a way that gives the ignorant the false impression

(1) The Hadith referred to is that which is narrated on the authority of Abu Ayyub Al-Ansari that The Messenger of Allah "peace be upon him" said: "He, who observes the fasts of the month of Ramadan, and follows that by six fasts from the month of Shawwal, would be considered to have observed perpetual fasting." See Sahih Muslim, Hadith no. 204:1164.

that it is valid, under Shari'ah.

The third is that the ignorant acts upon it, and the scholar abstain from disapproval of it, given that he is able to disapprove of it, with the result that the ignorant understands that it is not a violation.

The fourth belongs to the means that lead to unfavorable results. In other words, the act in principal is known, and along the time, a belief in it develops among the people.

But those four divisions are not of the same rank, and they differ in the degree of closeness to and remoteness from the religious innovations. The first division is the most entitled to be a religious innovation, where it is stated explicitly by text. The next is the second, where it is acted upon, and in many cases, the act may be of stronger effect than the word. But that the scholar acts upon it does not indicate that he believes in its being shameful.

For this reason, they say: "Do not consider the deed of the scholar, but rather ask him about his true belief in what he does." According to Al-Khalil Ibn Ahmad: "Act upon my knowledge, and do not consider my deed, perchance my knowledge may avail you whereas my indulgence in the deed will not harm you in the least."

Next is the third division, where the abstention from disapproval gives a false impression that he validates it, which means that the deed is not disapproved. But although one may be excusable in his abstention from disapproval, there is no excuse for him to act upon a violation, given his knowledge that it is a violation.

Next is the fourth division, where the present proscription is not an event, since the expected evil does not attain the rank of the event. This is why it belongs to the means which lead to unfavorable results, rather than to the religious innovations. By that consideration, it is not included under the definition of the religious innovation.

Although the religious innovation in both the second and the third divisions is external, it is concomitant, and it is more associated with in the second more than the third; and Allah knows best.

8. DIFFERENCE BETWEEN RELIGIOUS INNOVATIONS, PUBLIC INTERESTS IN MATTERS NOT SPECIFICALLY ADDRESSED BY ISLAMIC TEXTS, AND APPRECIATION

This section discusses what is and what is not a religious innovation. However, a lot of people included under the religious innovations most public interests which were not specifically addressed by Islamic texts, and attributed that to the Companions and their followers, and made it a proof for their claim to invent the acts of worship. They, furthermore, divided the religious innovations, in accordance with the Shari'ah rulings, into what is obligatory and what is recommended. Included in the obligatory ones is writing down the Mus'haf and its like; and in the recommended is the gathering, in the nights of Ramadan, on one reciter to lead the night prayer.

The public interests go back, in principal, to the consideration of a relevant significance which has no referential text in Shari'ah. It is also not based on analogy so that whenever it is presented to minds, it would be accepted immediately. That is the case of the appreciated religious innovations, which go back, as claimed by their inventers, to the public interests in the matters of religion to be addressed in Shari'ah in particular.

Being so, then, if the consideration of the public interests in the matters which were not specifically addressed by Islamic texts is right, the consideration of the appreciated religious innovations is right too, and vice versa, because both stem from the same spring.

On the other hand, there is no unanimous agreement upon the consideration of the public interests not specifically addressed by Islamic texts. The issue is open to four different opinions:

Al-Qadi and other fundamentalists are of the opinion that it should be rejected, under pretext that any significance which has no fundamental origin to support it should not be considered by all means.

But Malik is of the opinion that it should be considered, and he based his rulings on it in all cases.

Ash-Shafi'i and most Hanafi scholars of Fiqh go as far as to stick to the significance which even has no authentic fundamental origin to support it, on condition that it should be close to other significances which have supportive fundamental origins in Shari'ah.

According to Al-Ghazali, if the relevant significance is included in the decorative and ornamental rank, it should not be considered unless it is confirmed by a proven fundamental origin. But if it is included in the rank of

the essential necessities, then, it would, more likely, be considered but under certain circumstances. It is not unlikely that the reasoning of a Muftahid would lead to it, as he states. But his opinion about the middle rank, i.e. the rank of the needs, is not decisive. Although he rejected it in Al-Mustasfi, and this represents the latest of his two opinions, he had already accepted it in Shifa' Al-'Alil.

Putting the two different opinions of Al-Ghazali, we then will have five opinions. There remains no support in the tradition of the Companions for the one who rejects to consider it, but the fact that it is an appreciated religious innovation, the same as 'Umar Ibn Al-Khattab "Allah be pleased with him" said about the gathering of the people on one reciter in the night prayers of Ramadan: "How excellent is this religious innovation!" they could not reject it because they agree on it unanimously.

The same is true of appreciation. It goes back, in the tradition of the early men, to giving a judgment without evidence. The one who rejects the appreciated innovation does not regard appreciation a reason for innovation, which means that it is not considered in rulings. Thus, it is in the same rank of the public interests which were not specifically addressed by Islamic texts, in case they are rejected.

Since this is a place where the foot could slip, in the sense that the religious innovators may utilize it to attest their religious innovations, it is incumbent then to clarify it thoroughly, in order to know that the public interests not specifically addressed by Islamic texts do not belong, under any circumstance whatsoever, to the religious innovations.

So, let us say, by Allah's power and might:

The significance with which the judgment should be related is one of the following three:

The first is that which is confirmed to be accepted by Shari'ah, and in this case, there is no problem in its authenticity, and there is no dispute over acting upon it, otherwise, this would contradict Shari'ah. Here, a mention may be made of the ordinance of legal retribution which is intended to preserve the lives and the parts of the body (from damage), and the other similar laws.

The second is that which is confirmed to be rejected by Shari'ah, and there is no way to accept it. The relevance does not require a judgment for itself. That is indeed the doctrine of the reason-based appreciation. However, if there is a particular significance, and it seems from Shari'ah that it is considered in making the judgments, in this case, we would accept it. What is intended by the interest, in our sight, is what is understood to be the consideration of the people's interests and elimination of evils, in a way that the mind could not perceive independently. If this significance is not considered by Shari'ah, it should be rejected, by consensus of the Muslims.

An example for that is related by Al-Ghazali from one of the leading scholars that he visited a sultan who asked him about the sexual intercourse

during the day of Ramadan, thereupon he gave him fatwa of fasting two months consecutively. When he came out, a jurisprudent discussed him saying: "How should the one capable of emancipation be advised to fast given that fasting is the duty of the destitute? This king possesses lots of slaves." The scholar said to him: "If I advise him to emancipate a slave, he would, regarding it insignificant, commit this sin again and again, and emancipate more slaves. He would not be deterred by the emancipation of slaves in so much as by the fasting of two months consecutively."

It is true that this significance is relevant. The purpose of expiation is to deter the sinner. The king would not be deterred by emancipation in so much as by fasting. But even, this fatwa is invalid, because the opinions of scholars in this respect do not go beyond one of two: the freedom of choice, or the consideration of sequence, according to which the emancipation should be given priority to fasting. No one says that fasting should be given priority to emancipation in regard with the wealthy.

Something similar is related from Malik. Yahya Ibn Bakir⁽¹⁾ said: Once, Ar-Rashid broke an oath, thereupon he gathered the scholars and jurisprudents and asked them, and they gave him fatwa, by consensus, that the emancipation of a slave was due on him. He asked Malik, and he told him that three fasts were due on him.

Ishaq Ibn Ibrahim⁽²⁾, one of the jurisprudents of Cordova, concurred. It is related by Ibn Bashkawal that Al-Hakam, the Commander of Believers, sent to the jurisprudents to ask them about something. He mentioned to them that he had sexual relation with one of his wives during the day of Ramadan. They gave fatwa of feeding. Ishaq Ibn Ibrahim kept silent. The Commander of Believers said to him: "What is the opinion of Shaykh about the fatwa of his companions?" he said: "I do not adopt their opinion, and I rather give fatwa of fasting." They asked him: "Does the doctrine of Malik support feeding?" on that he said: "It is true that you know the doctrine of Malik, but you like to adulate the Commander of Believers. Feeding was enjoined upon him who has property; and the Commander of Believers has no independent property, because what he has under his disposal is the property of the treasury of the Muslims." On that the Commander of Believers accepted his opinion, and thanked him for it. That is true.⁽³⁾

It is further related by Ibn Bashkawal that 'Abd-Ar-Rahman Ibn Al-

(1) Ash-Shatharat, 2:71; At-Taqrīb, 2:351.

(2) At-Taqrīb, 1:55; Al-Jarh Wat-Ta'dil, 2:208.

(3) Malik said, "I have heard people of knowledge saying that the Kaffara specified by the Messenger of Allah, may Allah bless him and grant him peace, for a man who has intercourse with his wife during the day in Ramadan is not due from someone who, on a day when he is making up the fast of Ramadan, breaks his fast by having intercourse with his wife, or whatever. He only has to make up for that day." Malik said, "This is what I like most out of what I have heard about the matter."

Hakam did the same during the day of Ramadan, thereupon he asked the jurists how he would repent from that, and make expiation for it. Yahya Ibn Yahya⁽¹⁾ said: "The expiation for that is to fast two months consecutively." When Yahya said so, the other jurists kept silent. When they came out, they said to Yahya: "Why have you not given him fatwa according to our doctrine from Malik that he is given the freedom to choose emancipation, feeding or fasting?" he said: "No doubt, if we open this gate for him, it would become easy on him to have sexual relation everyday and emancipate a slave (as expiation for it). Therefore, I have guided him to the most difficult one in order not to do it once again."

If this narration proves authentic from Yahya Ibn Yahya, in this case, his opinion would disagree with the consensus.

The third is that in connection with which there is no evidence, whether to consider or to cancel it. This is divided into two:

The first is that there is a text in connection with that meaning, as to justify the prevention from inheritance by killing. The opposite of that is considered if there is no text in connection with that meaning. This justification is unfamiliar to the measures of Shari'ah, since it has nothing of its kind which could be considerable. So, it is not valid to use it, nor to establish judgments on it, by consensus. Such a thing is but an invented legislation from the one who uses it, and thus it could not be accepted.

The other is to befit the measures of Shari'ah, i.e. that this lying significance has something of its kind, considered by the lawgiver in general, even without a particular evidence. That is indeed the attestation in matters not exclusively dealt with by text, or, in more technical term, the consideration of public interests in the matters which were not specifically addressed by an Islamic text. This should be explicated with many examples, in order to become clear, by Allah's power and might. However, let us satisfy ourselves with only ten examples:

(1) At-Taqrīb, 2:360; Ash-Shatharāt, 2:82.

1.8. Examples Of Consideration Of Public Interests In Matters Not Specifically Addressed By Islamic Text

The first example is that the Companions of The Messenger of Allah “peace be upon him” agreed, unanimously, on collecting the Qur'an in a Mus'haf.

It is well-known that the Companions of The Messenger of Allah “peace be upon him” agreed, unanimously, on collecting the entire Qur'an in a Mus'haf, although there is no clear text in support of collecting or even writing it. Moreover, one of them said: "How should we do a thing which was not done by The Messenger of Allah “peace be upon him”?"

It is narrated on the authority of Zaid Ibn Thabit⁽¹⁾ "Allah be pleased with him" that he said: Abu Bakr sent for me after the (heavy) casualties among the warriors (of the battle) of Yamamah (in which a great number of Qur'an reciters were killed). 'Umar was present with Abu Bakr who said: “Umar came to me and said: “People have suffered heavy casualties on the day of (the battle of) Yamamah, and I am afraid that there will be more casualties among the Qur'an reciters at other battlefields, with the result that a large part of the Holy Qur'an might be lost, unless you collect it. I see that you should collect the Qur'an.”" Abu Bakr added: "I said to 'Umar: “How can I do something which The Messenger of Allah “peace be upon him” did not do?” 'Umar said : “By Allah, it is (really) a good thing.” 'Umar kept pressing on arguing with me, trying to persuade me to accept his proposal, till Allah opened my breast for it and I had the same opinion as 'Umar."

Zaid further said: 'Umar was sitting with him (Abu Bakr) and was not speaking. Abu Bakr said (to me): “You are a wise young man and we do not suspect you (of being liar or forgetful). Indeed, you used to write the Divine revelation for The Messenger of Allah “peace be upon him”. Therefore, look for the Qur'an and collect it (in one manuscript).” By Allah, if he (Abu Bakr) had ordered me to shift one of the mountains (from its place), it would not have been harder for me than what he had ordered me concerning the collection of the Qur'an. I said to both of them: "How dare you do a thing which The Prophet “peace be upon him” did not do?" Abu Bakr said: "By Allah, it is (really) a good thing.” So I kept on arguing with him till Allah opened my breast for that which He had opened the breasts of Abu Bakr and 'Umar for. So I started gathering Quranic material and collecting it from

(1) Ash-Shatharat, 1:54; At-Taqrīb, 1:272.

parchments, scapula, and leaf stalks of date palms and from the memories of men (who knew it by heart)."⁽¹⁾

No report of dispute over this deed is handed down from anyone of the companions "Allah be pleased with them".

It is narrated on the authority of Anas Ibn Malik "Allah be pleased with him" that he said: Huthaifah Ibn Al-Yaman⁽²⁾ came to 'Uthman when the people of Sham and the people of Iraq were fighting to conquer Armenia and Azerbaijan. Huthaifah was afraid of their (Muslims) differences in the recitation of the Qur'an, so he said to 'Uthman: "O Commander of Believers! Save this ummah before they differ about the Book (Qur'an) as the Jews and the Christians did before." So 'Uthman sent to Hafsa, daughter of 'Umar, and the wife of The Messenger of Allah "peace be upon him", saying: "Send us the manuscripts of the Qur'an so that we may compile the Quranic material in perfect copies and return the manuscripts to you." Hafsa sent them to 'Uthman who ordered Zaid Ibn Thabit, 'Abdullah Ibn Az-Zubair, Sa'eed Ibn Al-'As⁽³⁾ and 'Abd-Ar-Rahman Ibn Al-Harith Ibn Hisham⁽⁴⁾ to compile the manuscripts in perfect copies. 'Uthman said to the three Qurashis: "If you differ with Zaid Ibn Thabit on any point in the Qur'an, you should write it in the dialect of Quraish, because in whose tongue, the Qur'an was revealed." They did accordingly. After they had written many copies, 'Uthman returned the original manuscripts to Hafsa. Then a copy was sent by 'Uthman to every Muslim region, and all the other Quranic materials, whether written in fragmentary manuscripts or whole copies, were ordered to be burnt."⁽⁵⁾

That is another consensus on writing down the Qur'an, collecting it in one Mus'haf, and gathering the people on one mode of recitation, over which there was no dispute, given that all their differences were over the modes of recitation. No one objected to that except 'Abdullah Ibn Mas'ud "Allah be pleased with him" who did not give up his copy which was different from that made by 'Uthman. He said: "O people of Iraq and Sham! Conceal and misappropriate what you have of Mus'hafs, and Allah Almighty says: **{If any person is so false, he shall, on the Day of Judgment, restore what he misappropriated; then shall every soul receive its due, whatever it earned, and no one shall be dealt with unjustly.}** [Al 'Imran 161]

He indeed did not disagree with him over collecting it in so much as over another thing (i.e. the limitation of all modes of recitation to only one). But even, according to the narration of Ibn Hisham: "I have received the news that some of the virtuous Companions of The Messenger of Allah "peace be upon

(1) Sahih Al-Bukhari, Hadith no. 4986.

(2) Ash-Shatharat, 1:44; At-Taqrīb, 1:156.

(3) Ash-Shatharat, 1:65; At-Taqrīb, 1:299.

(4) At-Taqrīb, 1:476; Al-Jarh Wat-Ta'dil, 5:224.

(5) Sahih Al-Bukhari, Hadith no. 4987.

him” disliked that statement of Ibn Mas‘ud."

No statement is reported from The Messenger of Allah “peace be upon him” about that which they did. But they saw it a public interest fitting for the measures of Shari‘ah, i.e. to preserve the religion, and of course, we are commanded to preserve the religion as much as it could be; and prevent all means that could lead to dispute over the foundation of Shari‘ah, i.e. the Holy Qur'an, and any such dispute is forbidden, without doubt.

On that we could measure writing down the books of knowledge, such as the Sunnah and tradition, if there is fear of their obliteration, not to mention the Hadiths in which it is commanded to write down knowledge.

I hope the writing down of this book I have composed should belong to this category. I have found the field of religious innovations almost neglected in the speech of the scholars, except what is transmitted by Ibn Waddah and others which, regardless of being very important, could not quench thirst as it should be.

Although I have searched for it as much as I could, I found almost nothing of great value except what was composed by Abu Bakr At-Tartushi; and that is very little in comparison with what is needed in this issue, otherwise, what have the people composed about the deviant straying seventy-two sects? That is crucial in the matter of religious innovations, and an inseparable part of it. For this reason, I troubled myself much in it, perchance it would be of avail to its composer, reader, publisher, scribe, and all the Muslims in general: He is the guardian of that, and His mercy is all-embracing.

The Second Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

The Companions of The Messenger of Allah “peace be upon him” unanimously agreed on the corporal punishment prescribed for the crime of drinking wine. They fixed eighty lashes for it. Their only support was their sticking to the consideration of public interests and attestation in matters which were not specifically addressed by Islamic text. According to the scholars, during the lifetime of The Messenger of Allah “peace be upon him”, no limit was fixed for it, and the discretionary punishment acted as deterrent.

When Abu Bakr "Allah be pleased with him" became the caliph, he fix forty lashes for it, depending on his view in this issue. When ‘Uthman "Allah be pleased with him" became the caliph, the drunk among the people increased in number, thereupon he gathered the Companions for consultation. ‘Ali "Allah be pleased with him" said: "No doubt, whoever is intoxicated, surely, gets delirious, and if one is delirious, he would invent lies. so, I see such deserves the corporal punishment of the slanderer."

The point of establishing the question on the attestation in matters not specifically addressed by Islamic text goes back to the fact that in some cases, Shari‘ah holds the causes in the same position of the effects, and the assumption in the same position of significance. For example, in many rulings,

getting the male organ into the female organ was dealt with as ejaculation, and digging a will as the transgression, and so. Similarly, it was forbidden that a man be in seclusion with a woman unlawful for him, to eliminate all means that may lead to corruption.

Being so, they saw drinking wine a means to invention of lies, caused by irrational talk; and that is the first portent of intoxication. That is, according to the scholars, one of the clearest evidences for attributing rulings to significances which have no fundamental origins unique to them in particular. It is admitted by the Companions "Allah be pleased with them".

The third Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

The rightly-guided caliphs decreed the surety of makers. According to 'Ali "Allah be pleased with him": "Nothing other that serves the benefit of the people." The point is that the people need makers, and are, more often, absent from their furniture (as being processed). At the same time, the makers, most frequently, are neglectful and indulgent. If there is no surety on their part, given the dire need for them, the result would be one of two: to abandon manufacturing entirely, and that is very difficult; or to work without surety, under claim of the possible damage of the things, and this will lead to the waste of property, and emergence of betrayal. For this reason, the public interest required surety on their part. That is the meaning of his statement: "Nothing other that serves the benefit of the people."

It should not be said that this is a kind of corruption, since it means to enjoin surety upon an innocent who may neither damage nor indulge in preserving the material. That is because we say that if both the public interest and the evil conflict, it is incumbent upon the rational to compare the resulting consequences of them. It is unlikely that damage could not be caused by human interference, which is here the indulgence or negligence of the makers.

The Messenger of Allah "peace be upon him" said in a Prophetic Hadith: "There should be neither harm nor malice."⁽¹⁾ That is confirmed by fundamental origins in general. The Messenger of Allah "peace be upon him" forbade that a town dweller should sell on behalf of a desert dweller, saying: "Let the people (do by themselves, perchance) Allah would provide some of them with sustenance from (practicing transaction with) others."⁽²⁾

The Messenger of Allah "peace be upon him" further said: "Do not meet the riders with their commodities on the way before they would bring them to the markets."⁽³⁾ That is to give predominance to the public interest over the

(1) Sunan Ibn Majah, Hadith no. 2340-42; Ahmad in his Musnad, Hadith no. 2867.

(2) It is narrated on the authority of Jabir Ibn Abdullah that the Messenger of Allah "Allah's blessing and peace be upon him" said: "Let no town dweller sell on behalf of a desert dweller..." See Sunan Abu Dawud, Hadith no. 3442; Sahih Muslim, Hadith no. 1522; Sunan Ibn Majah, Hadith no. 2176.

(3) Sahih Al-Bukhari, Hadith no. 2165; Sahih Muslim, Hadith no. 1517-19, 1521; Sunan Abu

private interest; and to this belongs the surety of makers.

The fourth Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

There is difference among the religious scholars and jurists over beating with instruments as a part of punishment. Malik adopted the permissibility of imprisonment for accusation, even though imprisonment is a kind of torment. Moreover, his companions stated that beating also is permissible. It is, in the sight of the major scholars, like the surety on the part of makers. Had it not been for beating and imprisonment for accusation, it would have been too difficult to deliver the property from the hands of the thieves and usurpers. Since it may be difficult to establish evidence, the public interest requires torment as a means to restore the property through confession or designation of its place.

But even, it may be argued that this opens the door for tormenting the innocent. In reply, let us say that cancelling it would make it impossible to restore the property of the people. To refrain from torment may be more harmful. No one is exposed to torment only because of a claim against him. There should be a presumption which rouses doubt about him and provokes in the heart a degree of assumption. Torment, more often, does not happen to touch an innocent, and in case it takes place, it could be pardonable, the same as in the surety of the makers.

It may be further argued that there is no advantage in beating, because even if he confesses, his confession would not be held valid (as being done under compulsion). In reply, let us point out two advantages here:

The first is that when he designates the place of the taken property, and his confession is confirmed by evidence, it will be an apparent benefit.

The second is that others like him may be deterred from doing the same, thereupon such crimes would decrease.

Sahnun, who accepted such a confession, even under torment, added a third benefit to those two. But that is not strong enough to be reliable, according to other scholars, who confirm their argument by Allah's saying: **{There should be no coercion in the religion.}** [Al-Baqarah 256] But Sahnun construed this Holy statement to refer to compulsion to do something illegal, such as to be coerced to divorce one's wife. But there is no blame to coerce one to do something valid under Shari'ah. For instance, the disbeliever could embrace Islam under the shades of swords, and his Islam in this case is held valid. Of course, one may confess under torment, and persist in confession once the torment is over, and in this case, his confession would be held valid.

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Dawud, Hadith no. 3436, 3437; Sunan At-Tirmithi, Hadith no. 2121; Sunan Ibn Majah, Hadith no. 2178; Sunan Ad-Darimi, Hadith no. 2566, 2567.

The fifth Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

In case there is an obeyed ruler, who is unable to increase the number of his soldiers to fill the bordering openings and protect the wide-ranging territories of the dominion, and, at the same time, the treasury runs short, and the needs of the soldiers exceed the limited capacity of the treasury, then, the ruler, supposed to be just, has the right to enjoin upon the rich and wealthy a levy as much as to satisfy the needs until the treasury flourishes once again, and also upon the crops, fruits, and their like, so that the hearts of the people would not become hardened when those are specific to some apart from others. This should be done on condition that only little should be taken in a way that leads to no injustice, even without achieving the main purpose.

Nothing like this is reported from the early generation, because during their time, the treasury had many resources, unlike the case in our time. Here, the point is more entitled, and the public interest is apparent. Unless the ruler enforces this system, the security caused by his strength would go away, and our countries would become vulnerable to the occupation of the disbelievers.

It is this system which accounts for the security caused by the strength of the ruler, which is based on justice. If those who fear disasters lose this securing strength, they would regard all their property too significant in relation to it. Then, what do you think of only the little to be taken from their wealth? If this harm caused by taking a part of their property is opposed by the harm caused by losing security, there is no doubt that the latter would be given predominance over the former. It is one of the indisputably essentials of the main purposes of Shari'ah, even before considering the evidences.

The other relevance is that the father concerning his child, the trustee concerning the orphan under his trusteeship, or the guardian concerning him of whom he takes care, is commanded to do what is more beneficial to his child, orphan or ward, and spend his property in the fittest way possible to satisfy his need, and utilize it in every possible way to increase and maintain it. Of course, the interest of Islam is public, and should not be less significant than that of a child, nor should the Muslim ruler be more short-sighted than anyone concerning his ward.

If the disbelievers trample the territories of Islam, the support becomes due upon all the people; and if the ruler invites them to Jihad, they should respond to his invitation. Although this may cost much trouble, lives and property, it is necessary, in order to protect the religion and maintain the public interest of Muslims.

But even, if there are no disbelievers to attack the Muslims, and no fear is felt on their part, there is nothing to ensure that the gate of afflictions between the Muslims would not be opened. That is because the corruption is always expected. For this reason, the guards are necessary.

This relevance is right, but it should not be acted upon unless there is dire

necessity for it, and without it, it is impermissible. So, it should be given its just estimate. Taking refuge to loans during the crises is also possible only when there are expected resources of income for the treasury. But in case there are no enough resources to be expected, then, the judgment of enjoining levies should be put to effect.

This question is explicitly stated by Al-Ghazali more than once in his works, and concurred by Ibn Al-'Arabi in his *Ahkam Al-Qur'an*. The main prerequisite for that is the justice of the ruler on the one hand, and the rationalized disposal of what is taken and given of property in a legal way.

The sixth Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

If the ruler likes to take money from the criminals as a punishment for some crimes, the matter is debatable among the religious scholars, as mentioned by Al-Ghazali. But At-Tahawi related that this debate took place only during the early days of Islam, and later on, it was abrogated, and a consensus was concluded on preventing it.

As for Al-Ghazali, he claimed that this was a strange matter, unfamiliar to the Islam, and unfit for the measures of Shari'ah. This special punishment was not assigned, given the legality of the corporal punishment of imprisonment, beating, and others.

He said: "It may be argued that it is related from 'Umar Ibn Al-Khattab "Allah be pleased with him" that he took half the property of Khalid Ibn Al-Walid, to the extent that his ('Umar's) messenger took one of his pair of sandals, and half his turban.

In reply, let us say that 'Umar "Allah be pleased with him" was not assumed to have invented the punishment of taking the property in opposition to what is known in Shari'ah. He did so when he learnt that his (Khalid's) own property was mixed with something gained by virtue of his office as a governor. It may be that he assumed that half his property was gained by virtue of his office, and it is that which he took from him. This doing was a restoration of the right from him rather than a punishment by taking his property, since it (punishment by taking the property) is something strange, unfit for the rules of Shari'ah." Although there is another point for what 'Umar did, there is no evidence in it for the punishment by taking the property, as mentioned by Al-Ghazali.

As for the doctrine of Malik, the punishment by taking the property, in his sight, is of two kinds:

The first is what is illustrated by Al-Ghazali, and there is no suspicion that it is not valid. But in his *Raqa'iq*, Ibn Al-'Attar inclined to the permissibility of it. He said that the income of the assistants of the judge, if there is no treasury, is due on the petitioner, and if the petitioned is fulfilled, he should then bear it. Ibn Rushd inclined to adopt this opinion. But Ibn An-Najjar Al-Qurtubi rejected it from him, and said: "This, of a surety, belongs to the punishment by

taking the property; and it is permissible under any circumstance, whatsoever."

The second is that the crime of the criminal is committed in the same property or its compensation, in which case, the punishment by taking it is fixed. For instance, he said about the diluted saffron, "If it is found in the hand of the diluter: it should be given in charity to the needy, little or much it might be."

Ibn Al-Qasim, Mutarrif⁽¹⁾ and Ibn Al-Majishun are of the opinion that he should give in charity the little thereof, and not the much; and they related it from 'Umar Ibn Al-Khattab "Allah be pleased with him", who spilled over the milked which was diluted with the water. The point here is to discipline the diluter, given that no text support it. But it belongs to judging the private for the sake of the public. The like of it has previously been mentioned in the issue of the surety of makers.

But Abu Al-Hasan Al-Lakhmi referred it to a Shari'ah fundamental origin. The Messenger of Allah "peace be upon him" commanded to overturn the cooking vessels in which the flesh of donkeys was boiled before distributing it. A mention also may be made of the Hadith of emancipation as expiation for mutilation of bodies.

Among the questions raised by Malik in this issue is his account that if a Muslim buys wine from a Christian, it should be broken with the Muslim, and its price should be given in charity, as a kind of discipline for the Christian, even if he has not taken it yet.

The seventh Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

If the unlawful covers all or one side of land, and it is difficult to leave it, and, at the same time, there is no way to get good and lawful earnings, and there is a dire need for more than what sustains the life, it will be acceptable to say that this goes beyond the essential necessity, and rises up to the level of the need, concerning sustenance, clothing and residence. That is because if one limits himself to what sustains his life only, the earnings and occupations will become idle, and the people will continue to suffer from that until they perish. Of course, in this lies the destruction of the religion. But one should not reach the degree of luxury and comfort, nor should he limit himself to what is necessary.

This is fit for the measures of Shari'ah, even though it is not stated explicitly. It was made permissible for the one forced by necessity to eat the meat of the dead body, blood, and the flesh of the swine, to the end of such abominable and unlawful things.

According to Ibn Al-'Arabi, there is consensus on the permissibility of satiety when one is stricken with severe hunger. But they differed in case it is not severe: is it or is it not permissible? They also made it permissible to take

(1) At-Taqrīb, 2:253; Al-Jarh Wat-Ta'dil, 8:315.

the property of others if necessary. However, what we are discussing now is of no less importance.

Al-Ghazali explicated this issue very thoroughly in his *Ihya'*, as well as in his other books of fundamentals of jurisprudence.

The eighth Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

It is permissible to kill the group in retaliation for only one. The only support in this issue is the consideration of the public interest in a matter not specifically addressed by Islamic text. Although there is no clear text to confirm it, it is related from 'Umar Ibn Al-Khattab "Allah be pleased with him", and represents the opinion of both Malik and Ash-Shafi'i⁽¹⁾. The point of interest here is the fact that the blood of the murdered is infallible, and killing him intentionally makes lawful his blood, which, in turn, contradicts the principle of legal retribution. If it is learnt that there will be no legal retribution to be executed (in the event of the shared murder), seeking the aid of others, and participation will be taken as means to murder. The point here is not the murder committed by only one, because he is a real murderer, with no doubt, whereas the one sharing by instigation or plan is not certainly a real murderer.

It may be argued that this matter is invented in Shari'ah, on the basis of killing not the real murderer. In reply, let us say that it is not right so. No one other than the murderer is killed, represented herein in the group of killers who share together in the process of murder, according to Malik and Ash-Shafi'i. they indeed are held as one person (the killer). That a group of persons are held as one (the person of the killer) is required by the public interest, which is to preserve and maintain the human race. It is on the same basis that Malik makes it permissible to cut off many hands in retaliation for only one, as well as to cut off the hands in the obligatory Nisab.

The ninth Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

The religious scholars transmitted the consensus on the fact that the major Imamate (ruling) becomes due only to him who has attained the rank of Ijtihad and issuance of fatwa in the different sciences of Shari'ah. They also unanimously, or almost unanimously agreed on the fact that the judges among the people are only those who have promoted in Ijtihad to a considerable rank.

That is true, without doubt. But if it is time, in which there is, supposedly, no Mujtahid, and there is no one among the people to present for the major Imamate to enforce the laws and regulate the affairs which may protect the blood and property of the Muslims, in this case, the fittest, even though not a Mujtahid, should be established for ruling.

That is because the people will have but one of two ways: they would be left in chaos, and that is the mere corruption and tumult, or they should

(1) Ash-Shatharat, 2:9; At-Taqrīb, 2:143.

present him, thereby removing the corruption. But in this second case, only the merit of Jihad would be lost; and we think imitation is enough for him.

Being so, it is a view which takes into consideration the public interest concerning the principle of the Imamate position. It is so admitted that it needs no textual evidence to confirm its authenticity and relevance, regardless of seeming different from the transmitted consensus. Therefore, this consensus was principally based on the assumption that it is unlikely that there is no Mujtahid person at a certain point of time. Thus, this issue does not depend on a clear text in so much as on the public interest.

The tenth Example Of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text

Al-Ghazali is of the opinion that it is permissible to give the pledge of allegiance to the inferior even in the presence of the superior. If we have the freedom, in the matter of appointing a ruler, to choose between a Mujtahid in the sciences of Shari'ah, and an imitator, (given that imitation is less in rank than Ijtihad), the former should be given priority, because following one independent reasoning is superior to following the reasoning of another. The favor of Ijtihad is a good merit which could not be neglected, given the capability of observing it as it should be.

But if the ruling is taken, and the pledge of allegiance is given to the one whose rank is less than Ijtihad, and he establishes himself in power, and the people submit to him, the pledge given to him should continue, particularly in the absence of another Quraishi Mujtahid person, who possesses all conditions fit for ruling.

But should this Quraishi Mujtahid person, who has all conditions of ruling, come later, which requires the people to sack the non-Mujtahid ruler, then, it will be impermissible for them to sack or even replace him, if this will lead to rousing afflictions and troubles: on the contrary, it is due on them to submit to him, carry on his commands, and render effective his ruling, and valid his judgment. That is because it is well-known that knowledge is made a merit to the ruler for a further benefit, i.e. to become more independent with his reasoning from imitation; whereas the main duty of the ruler is to extinguish the fire of affliction roused from the division of the people (rather than their unity). Then, how should a rational make it permissible to stimulate the affliction, and disturb the order and the fixed public interest, just for the perspective of observing the subtle difference between independent reasoning and imitation?

As this point, one should compare the extent of harm caused to the people resulting from the ruler's inclination from independent reasoning to imitation, with the harm caused to them when they sack or replace him, or render invalid his ruling.

That is his opinion. It is based on the consideration of the public interest, and fit for the measures of Shari'ah, even without a clear text to support it.

What he stated, in this respect, has its origin in the opinion of Malik. It was said to Yahya Ibn Yahya: "Is the pledge of allegiance unfavorable?" he answered in the negative. It was said: "Even to wrongful rulers?" he said: "It is well-known that 'Abdullah Ibn 'Umar⁽¹⁾ "Allah be pleased with them" gave the pledge of allegiance to 'Abd-Al-Malik Ibn Marwan⁽²⁾; and under the force of sword, he took the pledge of allegiance. Malik related to me from him that he sent to him and commanded the people to hearken and obey him (as the ruler) in accordance with the Book of Allah and the Sunnah of His Prophet "peace be upon him". To be sure, the pledge of allegiance (even in this case) is better than the division of the people."

Al-'Umari came to Malik and said to him: "O Abu 'Abdullah! The inhabitants of both Sanctuaries (Mecca and Medina) gave me the pledge of allegiance, and you see (how evil is) the conduct of Abu Ja'far. What is your opinion?" Malik said: "Do you know what prevented 'Umar Ibn 'Abd-Al-'Aziz from appointing a righteous man as his successor?" Al-'Umari answered in the negative. Malik said: "But I know well. The pledge of allegiance was given to Yazid (Ibn 'Abd-Al-Malik) after him. 'Umar was afraid if he appointed a righteous man, Yazid would strive to establish himself as the caliph, thereupon the affliction would rise and destroy the ummah." On that, Al-'Umari submitted to the opinion of Malik.

It seems from this narration that when sacking anyone less worthy, or replacing him with another who is worthier, if there is fear of an irremediable affliction, the public interest requires to leave him in office.

It is narrated by Al-Bukhari on the authority of Nafi' that he said: When the people of Medina ousted Yazid Ibn Mu'awiyah, 'Abdullah Ibn 'Umar gathered his special friends and children and said: "I heard The Prophet "peace be upon him" saying: "A flag will be fixed for every betrayer on the Day of Judgment." However, we have given the pledge of allegiance to this (Yazid) according to the stipulations enjoined by Allah and His Messenger "peace be upon him". Indeed, I do know nothing more disloyal than fighting a person who has been given the pledge of allegiance according to the stipulations enjoined by Allah and His Messenger "peace be upon him". So, if I learn that any person among you has agreed to oust Yazid, by giving the pledge of allegiance (to somebody else) this will be a point of separation between him and me."⁽³⁾

According to Ibn Al-Khayyat, the pledge of allegiance was given to Yazid by 'Abdullah Ibn 'Umar against his will. Where is Yazid from Ibn 'Umar in position? But he ('Abdullah), with his religion and knowledge, saw it better to

(1) At-Taqrīb, 1:435; At-Tathkirah, 1:37.

(2) Ash-Shatharat, 1:97; At-Taqrīb, 1:523.

(3) Sahih Al-Bukhari, Hadith no. 3186, 3187, 3188, 6177, 6178, 6966, 7111; Sahih Muslim, Hadith no. 1735-38; Sunan Abu Dawud, Hadith no. 2756; At-Tirmithi, 1581; Sunan Ibn Majah, Hadith no. 2872, 2873; At-Tayalisi, Hadith no. 254, 1286, 2156, 2159.

surrender to the command of Allah, and flee away from a possible affliction which would destroy of possessions and people as much as known to everyone. Without doubt, ousting Yazid was to expose the country to a great affliction. That is indeed a very important principle (in Shari'ah) which you should comprehend well, perchance you will be guided aright, Allah willing.

2.8. Practical Aspect Of Consideration Of Public Interests In Matters Not Specifically Addressed By Islamic Text

Those are ten examples, which clarify to you the practical aspect of The Consideration Of Public Interests In Matters Which Were Not Specifically Addressed By Islamic Text. Many points ensue from them, including:

One is the relevance of the main purposes of Shari'ah, in a way that does not contradict anyone of its fundamentals or evidences.

The second is that what is considered thereof is only these of reasonable relevance, and correspond with reasonable occasions, which, when raised to minds, would be accepted. Indeed, they have no relation with the acts of worship, or anything of their like concerning the affairs of Shari'ah. That is because the majority of the acts of worship have no reasonable relevance in detail, such as the performance of ablution, prayer, fasting, Hajj, etc. at a certain point of time apart from another.

So, let the beholder reflect here how it has been made to contradict the detailed occasions.

Do you not see that each kind of purification has been assigned to an act of worship quite different from what seems at the first glance? For instance, the urine and excrement are filthy waste matters coming out of the body, because of which all parts of the body which the ablution should reach must be purified, rather than both channels of exit, or even all parts of the body. But in case of the semen or the blood of menstruation, then, washing all parts of the body becomes due, rather than both channels of exit, or the parts of the body which the ablution should reach.⁽¹⁾

Therefore, purification is due even if the body parts are clean, in case one does what requires the minor purification, and not due even if the body parts

(1) Something like this is related from some early scholars, i.e. that the consideration of both kinds of purification is beyond the reach of mind and analogy. The people accepted this matter widely, given that the wisdom of both purifications are reasonable. The exit of menses and the blood of menstruation weakens the whole body, more than the urine and excrement could do. For this reason, the ritual bath was ordained to get clean from the former, so that the body therewith would get active once again, and the nerves more attentive, and thus become strong enough to endure the acts of worship. But ablution was made enough for the latter, due to their weak effect. There are other wisdoms, i.e. to make the easy purification for such of occasions as take place everyday, and the difficult one to such of occasions as occur at intervals of weeks and even months. However, there are similar wisdoms for the other examples he will mention. But even, we could not reject that every act of worship has the meaning of worship which should be admitted. [Muhammad Rashid Rida].

are dirty and unclean, in case one does not do what requires the minor purification.

The earth, which makes things dirty, acts as the water which makes things clean (in case of Tayammum).

As for the times of prayer, there is no relevance perceptible to the mind to establish the prayer in them in particular, because all the times are equal.

As for notification about it, particular Athkar was ordained with neither addition to nor reduction from it. Once it is established, it should begin also with special Athkar. Its rak'ahs were ordained to differ by the difference of times; and each rak'ah has one bowing and a pair of prostrations, except the prayer of sun eclipse, which stand on the reverse of that. Only five prayers were enjoined (every day, i.e. every 24 hours), not four nor six, nor any number else. If the one who has got purified, enters the mosque, he is commanded to greet the mosque with a two-rak'ah prayer rather than one or four. If he forgets anything in the prayer, he should offer two prostrations (of forgetfulness), rather than one. If he recites a Holy Verse in which he should prostrate, he should perform only one prostration rather than two.

The supererogatory prayers were ordained (at every time), and prayer in general was forbidden at particular points of time, but the wisdom lying behind the justification of forbiddance is not understood.

The congregation were ordained in such supererogatory prayers as both 'Eeds, eclipse and Istisqa' (invocation of Allah for rain), other than the night prayers, and the supererogatory prayers whose performance is regular (before/after the obligatory prayers).

Furthermore, no perceptible significance lies behind washing the dead body of the deceased, because he is not competent for religious assignments. We have been commanded to perform prayer on him with Takbir, without bowing, prostration nor even Tashahhud. Those Takbir are four, rather than two, six, seven, or any number else.

As for fasting, it has many acts of worship whose lying wisdom is not perceptible, such as to abstain (from food, drink and sex) during the day rather than the night, and abstain only from food, drink and sex rather than clothes, vehicles, vision, walk and the like of those things. Moreover, the sexual intercourse, which is based upon emission, is held in the same position of food, which is based on its opposite. Fasting is also enjoined in the month of Ramadan, regardless of the fact that the Qur'an was revealed in it, rather than on Fridays, the best of days on which the sun rises. Fasting is also limited to a month, and not more nor less than that.

In sum, there are acts of worship in every category of jurisprudence, whose significance is not perceptible. In this deduction, there is a meaning to clarify the main purpose of the lawgiver. That is, there will be no blame at all if the lawgiver intends to make it a part of divine revelation, and thus cancel out the Ijtihad from such religious obligations and entrust the matter to its

originator, with submission to him, whether or not we say that the obligations are based on the public interests of the servants, except for a very few issues, whose significance seemed clear from Shari'ah, thereupon we took it into consideration, or, in others, we saw the difference between what is explicitly stated and what has no text to confirm or cancel them. But if there is difficulty, we then should go back to this principle, since it is the trustworthy hanthold and the protective shield of the one well-versed in Shari'ah.

That is the significance of the statement of Huthaifah "Allah be pleased with him": "Avoid every act of worship not done by the Companions of The Messenger of Allah "peace be upon him", since the early generation left nothing for the later. So, fear Allah, O assembly of reciters!" the same is narrated on the authority of Ibn Mas'ud "Allah be pleased with him". We have already mentioned a lot of things like this.

For the same reason, Malik was eager not to investigate into the significance lying behind the acts of worship, even though it might seem clear at the first glance. He did so in compliance with the lawgiver's purpose that they should be admitted with willing submission as they really are. For instance, he gave no importance to the significance of the absolute cleanness, considered by others, as lying behind removing the filth and eliminating the impurities which require major/minor Ghusl, to the extent that he put the condition of intent in removing such impurities. He also held nothing in the same position of water in this respect, even if it cleans like it. He also did not give the utterance of Takbir and recitation in a language other than Arabic the same power of making things unlawful and lawful. Concerning expiations, he gave importance to nothing other than the observation of the number... to the end of what he did like those.

The focal point round which he turns is to side what is ordained by the lawgiver, without investigation into the relevant significance lying behind it, even if it is conceived, since it is very rarely in the acts of worship, unlike the normal habits, established, principally, on the consideration of the relevant significance perceptible to the minds, which he talked about freely in the way of the experienced well-versed in the public interest-based significances, without going beyond purpose of the lawgiver, nor contradicting any of the essential principles. He did it so much that some scholars regarded hideous many points of his free discussion, claiming that he had opened the gate to legislation; and how far he was from that, may Allah bestow mercy upon him. He satisfied himself, in his jurisprudence, with following to the extent that one could imagine that he was but an imitator of those before him. Nay! He was the one of deep insight in the religion of Allah, as shown by his companions.

It is related from Ahmad Ibn Hanbal that he said: "If you see a man disliking Malik, then, you should know that he is an innovator in the religion." This witness indicates to his strong following.

Abu Dawud⁽¹⁾ said: "I fear for him that he is a religious innovator." He means the one who dislikes Malik.

According to Ibn Al-Mahdi, "If you see that anyone belonging to Hijaz likes Malik, you should know that he is a follower of the Sunnah, and if you see that anyone abuses him, you should know that he opposes the Sunnah."

According to Ibrahim Ibn Yahya Ibn Hisham, "I have never heard Abu Dawud cursing but two men: the first is a man of whom a mention was made to him that he cursed Malik, and the other is Bishr Al-Marisi."⁽²⁾

In general, the scholars other than Malik agree with him on the fact that the basic rule in the acts of worship, is that the significance lying behind them might not be perceptible, even though they differ in some details. This fundamental principle is agreed upon unanimously among the people of this ummah, except for Azh-Zhahiriyyah, who make no difference between the acts of worship and the normal habits in this respect, i.e. both might not have perceptible significance. Thus, they do not only adopt the principle of the interests, but also do not believe in the consideration of the public interests in the matters not specifically addressed by the Islamic text.

The third point is that the consideration of public interests in the matters not specifically addressed by Islamic text, in principal, goes back to two things: to preserve something which is necessary; and remove a difficulty in the religion. As for the first, it belongs to that without which the obligatory duty is incomplete. Thus it is among the means rather than the purposes. To remove a difficulty goes back to making things easy rather than hard.

That it goes back to something necessary, has appeared clear from the examples already mentioned. The same applies to removing a difficulty in the religion, which belongs either to what is necessary, or what is needed. Anyway, nothing in it goes back to embellishment and defacement; and if there is any such like, it belongs to another field, like the standing in prayer in congregation in the mosques; or one of the religious innovations disapproved of by the righteous predecessors, like the adornment of mosques, and the Tathwib in the Athan for prayer.

That it belongs to the means in the necessities without which the obligatory duty is incomplete: if there is a clear text to stipulate it as a condition, it then will be a Shari'ah condition, and in this case will be irrelevant to our discussion, because the text of the lawgiver has sufficed us against the burden of investigating it.

But if there is no clear text to stipulate it as a condition, then, it may be either reasonable or habitual. It is not necessary for it to belong to Shari'ah, nor to have a particular configuration. If it is supposed that the Qur'an and knowledge could be preserved without fixed books, it would be valid, and the

(1) Ash-Shatharat, 2:167; At-Taqrīb, 1:321.

(2) Shatharat Ath-Thahab, 2:44.

same applies to the necessary public interests. If it is supposed that the benefit of the major Imamate is to be achieved without an Imam, since there is no clear text to address the matter, it would be valid, and the same applies to all the other necessary public interests. But being so does not mean that it is valid to deduce therefrom any of the religious purposes which do not belong to the means.

That it goes back, to remove a difficulty in the religion, to making things easy rather than hard, is clear also from the examples. Nothing intended to remove a difficulty could lead to overburdening or increasing the obligations beyond the capacity of people.

From this, it is learnt that the religious innovations, in this sense, are opposed to the public interests. That is because the public interests have the significance lying behind them perceptible to the mind, in all their details, unlike the acts of worship, whose significance may not be perceptible in detail. We have already mentioned that if there are innovations in the normal habits, they may address their side of worship.

Furthermore, the innovations, in general, have no relevance with the purposes of Shari'ah: on the contrary, they are conceived as one of two: to contradict the purpose, such as the fatwa of fasting two months consecutively, or to have no text to confirm or cancel them, like the prevention of the killer from inheritance, and dealing with him according to the opposite of its purpose, under claim that there is no text to address it.

We have already transmitted the consensus on leaving both without taking them into consideration. It should not be said that the thing in connection with which there is no text to confirm or cancel it joins that in connection with which there is permission, because this requires to break the consensus, due to the absence of relevance. Furthermore, the acts of worship are not like the normal habits in the sense that the thing in connection with which there is no text to confirm or cancel it, takes the same ruling of the thing in connection with which there is permission. There is a great difference between both. We could not deduce an act of worship for which there is no fundamental origin just under the claim that it takes the same ruling of the normal habits. The difference between them is, as already mentioned, that the minds could be guided to the normal habits independently whereas they could not do as regards the acts of worship therewith one draws near Allah Almighty. This meaning has been referred to in Kitab Al-Muwafaqat.

Since the consideration of the public interests in the matters not specifically addressed by the Islamic text goes back to their being means to preserve what is necessary, or to make things easy, then, this requires not to invent innovations from their part, nor increase the number of the recommended deeds, under the claim that the innovations belong to the means therewith the acts of worship are practiced. That is because this would lead to the increase of the religious obligations, which contradicts the principle of

making things easy in the religion.

In short, there is no implication for the religious innovator then in the consideration of the public interests in the matters not specifically addressed by the Islamic text except in the division that is cancelled out, by consensus of the scholars; and sufficient it is for implication to be rejected!

In this way, it is known from the purpose of the lawgiver that he did not entrust anything of the acts of worship to the opinions of the people. For this reason, one has but to abide by the limits set by him, and any addition to or reduction from it is an innovation in the religion. Many examples have been mentioned, and further ones will be mentioned later, Allah willing.

3.8. Reason-Based Appreciation

There is also, for the religious innovators, an implication in the reason-based appreciation. Appreciation, in general, requires something to appreciate, which is either the mind or Shari'ah.

As for Shari'ah, the appreciation and depreciation were over, since they have been shown by evidences and proofs, and there is no advantage to call it appreciation, nor to add to it anything more than what is in the Book, the Sunnah and the consensus of Muslims, and the resulting analogy and attestation. There remains then nothing to appreciate but the mind. If there is evidence to support its appreciation, then, there is no benefit to call it appreciation, since it depends upon an indicative proof; and if there is no evidence, then, that will be the innovation which it appreciates.

This is confirmed by the statement that "appreciation is that which a Mujtahid sees better depending upon his reasoning, and inclines to with his opinion." It is, in the sight of those, what is appreciated in the normal habits, and the dispositions inclines to, in which case, it is permissible to judge according to it on condition that there is nothing to contradict it in the Shari'ah. But if it includes the acts of worship for which there is no evidence, it will be called religious innovation. This appreciation is divided into good and evil, since it is not that every appreciation is regarded true.

It may also be construed within the context of the second interpretation given by the fundamentalists, according to which, appreciation is to see an evidence which a Mujtahid could not express or demonstrate in words. It is unlikely that one makes an innovation in the acts of worship without even suspicious evidence. On the contrary, anyone makes a religious innovation should have an implication in a Shari'ah evidence, which he could or could not express, and he more often could not express.

The appreciation may have another meaning confirmed by the evidences given by the early interpreters; and they are three:

The first is the statement of Allah Almighty: **{And follow the Best of (the courses) revealed to you from your Lord, before the Penalty comes on you - of a sudden while you perceive not!}** [Az-Zumar 55] and: **{Allah has revealed (from time to time) the most beautiful Message in the form of a Book, consistent with itself, (yet) repeating (its teaching in various aspects).}** [Az-Zumar 23] and: **{announce the Good News to My Servants, Those who listen to the Word, and follow the best (meaning) in it: those are the ones whom Allah has guided, and those are the ones endued**

with understanding.} [Az-Zumar 17-18]

The second is the statement of The Messenger of Allah "peace be upon him": "What is seen better by the Muslims is also better in the Sight of Allah."⁽¹⁾ Of course, he means what they see with their reasoning, otherwise, if there is evidence in Shari'ah to support their vision, it would not then belong to the things seen better by them. The minds have nothing to do with legislation, and in this sense, the Hadith will have no significance. Thus, it indicates to what they see better with their opinion.

The third is that the people of this ummah saw it better to enter the public bath, without fixing a particular charge for it, the duration of stay and the amount of water to be used. The only reason for this is that the argumentation in this matter is usually shameful. Thus, the people saw it better not to talk in this respect. It is well-known that it is forbidden to ignore the amount, duration and object of charge. As it was regarded better to hire such, even with violation of the evidence, it would be preferable to make it permissible unless it violates the evidence.

You see then how this is a slipping place for anyone who likes to make a religious innovation, thereupon he could say: "If I see anything better, then, many scholars other than me have already done." Being so, a special care should be given to that issue, in order that no ignorant or knowledge claimant would be deceived. So, let us say, and success lies with Allah:

Appreciation is considered, in Shari'ah rulings, by Malik and Abu Hanifah⁽²⁾, and disapproved of by Ash-Shafi'i, to the extent that he regards it a kind of legislation in the religion. However, he always goes back to acting upon the stronger of both evidences.

According to the words of Ibn Al-'Arabi, "Both Malik and Abu Hanifah construe the general within the context of the specific, if the general remains unchangeable, and the analogy is regular, depending upon any proof whatsoever, be it apparent in wording or meaning. Malik, for instance, sees it better to construe the general within the context of the specific in consideration of the public interests in the matters not addressed by Islamic text; whereas Abu Hanifah does the same depending upon the solitary news of even no more than one of the Companions, in opposition to the normal analogy. They together also make specific the analogy, and does not care about the lacking reason. But Ash-Shafi'i does not make specific the Shari'ah reason once it is proven."

Those are the words of Ibn Al-'Arabi in this issue. Al-Karkhi's exegesis

(1) Ad-Durar Al-Muntathirah Fi Al-Ahadith Al-Mushtahirah by As-Suyuti, Hadith no. 400; Majma' Az-Zawa'id by Al-Haithami, 1:177.

(2) At-Taqrīb, 2:303; At-Tathkirah, 1:168.

gives the impression that it means to leave the interpretation of a particular issue through the interpretation of its matches for something different, depending upon stronger evidence in the matter.

Some Hanafi scholars of Fiqh say: "It is the analogy which should be acted upon." That is because the reason is considered true according to its effect. The one of weak effect is called analogy, whereas the one of strong effect is called appreciation, i.e. an appreciated analogy. It seems to act upon the stronger analogy, as it appears clear from deducing their questions in appreciation, according to the juristic events.

Moreover, it is reported from Malik that "Appreciation constitutes nine-tenths the knowledge." That is the narration of Usbugh⁽¹⁾ from Ibn Al-Qasim from Malik. According to Usbugh: "Appreciation may be more frequent than analogy." Malik also said: "The one who makes difference in the analogy is about to leave the Sunnah."

Of course, this could not be understood with the same meaning already given to it, i.e. what a Mujtahid sees better with his reasoning, or that it is a proof which the Mujtahid has in mind and could not express in words. By no means could this form nine-tenths the knowledge, or be more frequent than analogy which is one of the major sources of legislation.

Ibn Al-ʿArabi says in another location: "Appreciation is to leave what is entailed by evidence by way of exclusion and concession, in view of an opposition to some of its requirements." He divided it into four: to leave evidence for the sake of usage, to leave it to serve a benefit, to leave it for what is easier, and to leave it to remove difficulty and make things more extensive.

Some other than Ibn Al-ʿArabi defined it as being, in the sight of Malik, to enforce a partial public interest in contrast with a universal analogy. It is, in this way, to give priority to the attestation of matters not specifically addressed by Islamic text over an analogy.

According to the definition given by Ibn Rushd: "Appreciation which is enforced so much that it becomes more general than analogy is to leave an analogy which leads to hyperbole and exaggeration in judgment, thereupon it is abandoned in a particular occasion, due to an efficient significance of the judgment, unique to that very occasion."

Those definitions are close, in meaning, to each other.

If it is so, according to Malik and Abu Hanifah, it does not go beyond the proofs, by all means, since the proofs restrict and specify each other, as shown in the proofs of Sunnah with those of the Qur'an. Ash-Shafi'i does not reject this kind, in principal. So, there is no argument to call it an appreciation on the

(1) Ash-Shatharat, 2:56; Al-Jarh Wat-Ta'dil, 2:321.

part of the religious innovator.

Anyway, many examples should be given to clarify the main purpose. Let us be satisfied with only ten, Allah willing.

The first is to leave, in judging a question, its matches, as shown in Allah's saying: **{Of their goods take alms, that so you might purify and sanctify them.}** [At-Tawbah 103] What seems from the wording is the property in general, even though in Shari'ah, it is specific to these of almsgiving. For instance, if one says: "My property is a charity", what seems apparent from his wording is that he refers to the whole of his property in general. But it should be construed to refer only to the property of Zakah, since it had already been construed as such in the Book.

According to the scholars, this seems to go back to construal of what is general within the context of what is specific, depending upon the usage of understanding of the Quranic text. This example is presented by Al-Karkhi as a parable for his opinion of appreciation.

The second is the opinion of a Hanafi scholar of Fiqh, that the trace of the wild bird is filthy, analogous to that of the wild animal. As apparent in effect as it might seem, it is so by way of appreciation. It is well-known that the wild animal is not filthy, in itself. But since its flesh is prohibited to eat, this requires that its saliva should be rendered filthy. Being so, the wild bird should be different from it, since it drinks with its beak, and it is pure in itself. Thus, it is due to judge its trace to be pure. It is a strong effect, and if it is hidden, then, we should go back to the former, and if it is clear, then, acting upon the stronger evidence is unquestionable.

The third is that Abu Hanifah said that if four witnesses gave witness to a man that he had committed adultery, but each of them designated a different place in which this crime was done, the analogy requires not to execute on him the corporal punishment prescribed for this crime. But even, it was appreciated to execute the corporal punishment on him.

The point is that no corporal punishment prescribed for the crime of fornication should be executed on anyone without four witnesses to witness to that. That there were four witnesses, with each designating a different house in which this crime was done means that no four witnesses gathered to witness to each event solely. If each designated a different corner, it seemed that the crime was done more than once, as well as once.

If it is said that the analogy requires not to execute on him the corporal punishment prescribed for adultery, it seems clear that the four witnesses did not gather on one event of adultery. But, at the same time, this apparent analogy could lead to regarding as wicked the upright trustworthy witnesses. That the corporal punishment prescribed for adultery is not executed on him

means that the witnesses are wicked. We should not regard them as wicked so long as we could find a way to avoid it. Thus, regarding as upright trustworthy the witnesses, if it is possible, could lead to this unlikely prospect. This judgment is not based on analogy, in so much as on the probability of receiving the judgment from the Qur'an.

The fourth is that the opinion of Malik Ibn Anas is to give up the evidence for the sake of usage. He reduced the oaths to the usage, although language entails, in its words, something different from what is meant by usage. For instance, if one says: "By Allah, I would not enter any house with so and so", he would break his oath if he enters any place called house in language; and the mosque is called a house, thereupon if he enters it, he would break his oath. But the people's usage requires not to give it that term. Thus, by usage, it comes out of the meaning of the word, in which case, one would not break his oath if he enters it.

The fifth is to give up the evidence to serve a benefit, such as to require surety from the shared hireling even though he is not a maker. The doctrine of Malik, in this issue, is open to two different opinions. A typical example is to make the owner of the public bath a guarantor of the dress, as well as the owner of the ship, the shared brokers, and the foodstuff porter. According to Malik, such is a guarantor, and joins the makers. The reason for that does not differ, to a great extent, from that of the makers.

But it may be argued that this does not belong to the appreciation in so much as to the consideration of the public interests in the matters not specifically addressed by Islamic text. In reply, we answer in the affirmative. But let us say that they conceive appreciation in the form of an exclusion from the rules, unlike the consideration of the public interests in the matters not specifically addressed by Islamic text. Such is conceived in the matter of surety. It is well-known that the hirelings are rendered trustworthy by evidence rather than by the original innocence. In this sense, regarding them guarantors takes the form of exclusion from the evidence, thereby it is included under appreciation from this perspective.

The sixth is that they report the consensus (among the scholars) on enjoining financial penalty on the one who cuts off the tail of the judge's mule, thereby meaning to pay the price of the animal entirely, rather than the value of the defect resulting from cutting off its tail. The point here is very clear. The judge's mule is needed only to be ridden by him; and because of the hideous defect inflicted upon it, he becomes unable to ride it. And, consequently, it becomes idle. That is why the criminal should pay the price of it entirely.

It is inclined to serve the special purpose. The basic rule is that he should pay only the cost of the defect. But they saw it better to get him pay the cost of the mule entirely as has previously been mentioned. Therefore, this consensus

is apt to discussion. The issue, according to the doctrine of Malik and others, is open to two opinions. But the more famous is what we have already mentioned, as stated by Al-Qadi ‘Abd-Al-Wahhab.

The seventh is to leave the painstaking details about the trifling matters, due to their insignificance and trifling. For example, they made it permissible to sell by exchange of coins if one of both parties is subservient to the other, to change a Dirham with another, less in weight, if the difference between them is trifling, given that the basic rule requires that all such are forbidden, depending upon the Hadith which reads: "The silver (could be sold) by silver, and the gold by gold but like by like, and equal by equal."⁽¹⁾ Whoever gives or takes more has practiced usury. The point here is that the trifling thing is like nothing; and, often, no importance is given to it. Argumentation in the trivial may lead to difficulty, and difficulty should be removed from the one competent for religious assignments.

The eighth is taken from Usbugh's hearsay from Malik that if two persons, sharing in a slave-girl, had sexual intercourse with her in the same period of her pureness (from one menses), therefrom she begot a child, and one of them disavowed the child (resulting from that), the disavower should then divulge the kind of sexual relation with her: if his coitus led to the ejaculation of semen into the vagina, then, no importance should be given to his disavowal, and he, rather, seemed to have shared in him. But if he claimed coitus interrupts, according to Usbugh, it is appreciated to join the child to the other, given that the analogy requires that both should be equal in that, for perhaps his semen flowed so much (that it got into the vagina) unknowingly.

‘Amr Ibn Al-‘As said in this issue: "No doubt, the covering string may turn over." He (Usbugh) said: "Here, I see it better to join the child to the other, although the analogy otherwise requires." Then, he related from Malik what we have already mentioned.

According to the interpretation of Ibn Rushd, the basic rule is that if somebody had sexual relation with his slave-girl with coitus interrupts, and then she begot a child, this child should join him, even though he disavowed him. Analogous to that is the case that if she was shared between two men who had sexual relations with her in the same period of her pureness (from menses), with one of them doing coitus interrupts, and then she begot a child whom one of them disavowed and the other, who had ejaculated semen into

(1) It is narrated on the authority of ‘Ubadah Ibn As-Samit that The Messenger of Allah "peace be upon him" forbade selling gold for gold, silver for silver, wheat for wheat, parley for parley, dates for dates, and salt for salt unless they are equivalent (in weight and quality and handed over) on the spot. Whoever added anything or accepted any addition would be considered to have committed usury." Sahih Muslim, Hadith no. 80:1587; Sunan Abu Dawud, Hadith no. 3349, 3350; Sunan At-Tirmithi, Hadith no. 1240; Sunan Ibn Majah, 2254; Sunan Ad-Darimi, Hadith no. 2579.

her vagina, claimed, the ruling, according to the analogy, is that they should be in the same position as if they both had practiced coitus interrupts or ejaculated semen into the vagina. But it is better to join the child to him who claimed him, and confessed that he ejaculated semen into her vagina rather than the other who disavowed him, and told that he practiced coitus interrupts. That is because the pregnancy, more often, comes from the semen ejaculated into the vagina, and, very rarely, with the coitus interrupts. So, it is close to certainty that the child belongs to the one who claimed him and confessed that he ejaculated semen into the vagina, and not to him who denied him and told that he practiced coitus interrupts. The judgment based upon what is close to certainty is fundamental in rulings, and here it has a strong effect. For this reason, it should be enforced by way of appreciation, as stated by Usbugh; and this is clear in our matter in issue.

The ninth is that the people of this ummah saw it better to enter the public bath, with fixing neither charge, nor the duration of stay, nor the amount of water to be used, as we have already mentioned. The basic rule is that it should be forbidden. But they made it permissible, not for the same reason given by the claimants of the religious innovations, but for another thing not quite far from evidences. As for estimating the compensation, it is based on usage, and thus there is no need to estimate it. As for the duration of stay and the amount of water to be used, if it is not estimated by usage, it then lapses due to the dire necessity for it.

This depends, principally, on a juristic rule, i.e. the fact that to cancel out in the contracts all things whose nature is unknown is impossible, because it restricts the dealings, and makes it difficult to improve the conditions of negotiations. To cancel out the things of unknown nature takes place to remove any would-be disputes. Thus, it is supplementary, and if putting the supplementary into consideration will lead to nullify the supplemented, it then should be cancelled out, for the sake of getting the important things, according to the fundamentals of Fiqh.

For instance, it is due to overlook dealing in such of indispensable things as of unknown nature, if it is difficult to dispense with them. The person competent for religious assignments is forgiven for dealing with the little of things of unknown nature, due to the difficulty of precaution, rather than in the much thereof, since it is unnecessary and leads to a great risk. But the difference between the little and the much thereof is not stated in all the affairs. Therefore, it is forbidden as regards some of its kinds, which leads to great danger, and made one of the fundamentals on which the much is measured, as regards inconsideration and permissibility.

When the things of unknown nature are little, the matter is easy, there is no dispute, and there is a dire need for excuse, then, it should be enforced; and to this belongs the issue of fixing no amount of water and duration of stay in

the public bath.

Malik, as shown by many scholars, delved into this issue very thoroughly. In his sight, it is permissible to hire anyone in return for food, regardless of the impossibility to put an exact measure of what he is going to eat. But that is of almost no importance, since the matter is easy whatsoever, and it is unlikely that argumentation could be raised in this respect. There is difference between the case when the unknown nature of things involves the excuse of a little change in the specific time, which he made permissible, and the case when it involves the excuse of a little change in the price which he forbade.

He said: "It is permissible for anyone to buy something to receive at the time of harvest or plucking the crops, regardless of being not fixed exactly on that very day, where as it is impermissible for anyone to sell something for a Dirham or so." The reason for this difference goes back to the fact that difficulty of fixing prices is not a case of usage, whereas no difficulty will be caused by a little change in the specific time.

This is supported by the narration of ‘Amr Ibn Al-‘As "Allah be pleased with him" that The Messenger of Allah "peace be upon him" ordered to buy the camels to be received at the time of the coming out of the almsgiver. In this case, no specific time was assigned exactly in so much as dissembling approximately and with ease.

Consider here how he established the exclusion from the fundamental rules depending upon the removal of difficulty and suffering. Where is this from the claim that it is based only on the reason-based appreciation just according to the normal habits? There is a great difference between both.

The tenth is the claim that the appreciation is based, in some of its parts, on the consideration of the difference among the scholars. It is a fundamental principle in the doctrine of Malik, on which many questions are based.

One of those is that if a little quantity of water receives a little filth which does not change its attributes, it will be impermissible for anyone to perform ablution with it, but rather to leave it for Tayammum. If he performs ablution with it and then prays, he should repeat the prayer (with new ablution of pure water if available, or Tayammum), as long as he is still within the extremities of the due time of the prayer. But if the time is over, he should not repeat it. He should repeat the prayer only at the due time, in observation of the argument that such water is pure and purified; and it is narrated that it is permissible to perform ablution with it principally. The analogy requires to repeat the prayer at any time whatsoever, since he has performed ablution with water that should be left for Tayammum.

Another one is their claim about the invalid marriage to be repealed: if there is no unanimous agreement among the scholars on its invalidity, it should

be revoked with divorce, in which case, inheritance and divorce are due as it should be in the valid marriage. But if there is unanimous agreement on its invalidity, it then should be revoked without divorce, in which case, neither inheritance nor divorce is due.

A third issue is that if one led in prayer forgets the Takbir of assuming the prayer and then utters the Takbir of bowing with the Imam, he then should go on the prayer, due to the argument that this would be sufficient for him. But when the Imam ends the prayer with Taslim, the one led in prayer should repeat it.

Such questions take place more often in the doctrine, on the basis of observation of the evidence of the different opinion in some cases because it preponderates in his sight, and not in other cases, because it does not preponderate in his sight.

In sum, one could not fundamentally stick to the principle of appreciation without evidence.

4.8. The Arguments Of Appreciation

Being so, let us return to the proofs on which they established their arguments about appreciation and depreciation. The appreciation, according to the first definition, is what one sees better with his mind, and inclines to with his opinion. The proponents of this saw it, in this sense, one of the main proofs of rulings. No doubt, mind could reject Shari'ah, under claim that what has occurred to the minds of the laymen, for instance, is the decree of Allah upon them, and they should act in compliance with it. But, such did not take place, nor was it acted upon in worship, whether necessarily or with Shari'ah evidence of full or a particular degree of certainty. So, it is not permissible to attribute it to the decree of Allah, because it is a legislation based on mind.

We also know that the Companions "Allah be pleased with them" restricted their vision of the events which were not specifically addressed by Islamic text to deduction, and reference to what they understood from the well-established fundamentals. No one of them said, for example, "I have judged on this as such because my disposition inclines to it, or because it corresponds with my love and contentment." Had anyone said so, he would have been disapproved of so much, and it would have been said to him: "How should you judge on the worship of Allah just depending upon your inclination and leaning?" that is indeed invalid.

On the contrary, they used to debate each other, and object to the approaches of each other, in order to adjust the Shari'ah criteria.

Should the judgment go back only to appreciation and depreciation, there would be no advantage for the debate, because the people differ in their inclination and desire for food, drink, clothing, and so, with no need to debate each other "Why does this water taste better than that in your opinion?" Of course, Shari'ah is not so.

The masters of the practical religious innovations, for the most part, do not like to debate anyone, nor argue with any scholar about what they seek to achieve, for fear of scandal that they would find no Shari'ah support for their opinions. It is always their habit that whenever they find a strong scholar, they would adulate and flatter him; and whenever they find an ignorant layman, they would baffle him with problems in Shari'ah to shake his beliefs, and put him to confusion as regard the religion. Once the signs of confusion appear on him, they would soon throw on him their religious innovations by degrees, one by one, and accuse the men endued with knowledge of being devotees of this world, who dedicate themselves to it, versus those (religious innovators), who are the devotees of Allah, selected by Him apart from others. Furthermore, they may present to him some statements belonging to the extremist Sufis, as

witnesses to what they claim, until they lead him to the fire of Hell. But by no means would they come to the matter in the right way, and debate with the scholars endowed with knowledge over it.

If you reflect on Al-Gazelle's discussion of the way the Batinites draw others to their doctrine, you will see how they depend on deceiving the people without knowledge, and swindling them with different tricks to bring them out of the Sunnah, if not out of the religion entirely. But for fear of being too lengthy, I would have related his speech in this respect here.

As for the second definition, it is rejected on the basis of the fact that if this door is opened, it would invalidate the proofs, and everyone would claim what he likes to claim, depending only on words, (regardless of the evidence), and the foe in debate would be reduced to being invalid in his argument. This would lead to visible corruption. But if it is admitted, we should then consider the evidence. If it is invalid, it would be of no significance; and if it is valid, then, it would go back to the Shari'ah, in which there is no harm.

As for the first evidence, it has no implication. The best of following is to follow the Shari'ah evidences, esp. the Holy Qur'an. In confirmation of that, Allah says: **{Allah has revealed (from time to time) the most beautiful Message in the form of a Book, consistent with itself, (yet) repeating (its teaching in various aspects).}** [Az-Zumar 23] The Messenger of Allah "peace be upon him" also says: "To go further: the best of speech is the Book of Allah (the Qur'an)." [Muslim] Of course, the evidence claimants could not say that the inclination of disposition is among the things to be divinely revealed, not to mention its being the best of things at all.

Allah also says: **{Those who listen to the Word, and follow the best (meaning) in it: those are the ones whom Allah has guided, and those are the ones endowed with understanding.}** [Az-Zumar 18] This needs to prove that the inclination of disposition is called word in order to consider whether theirs is the best. All of this is invalid, as has been mentioned.

But even, this appreciation (based on the disposition inclination) could, by no means, establish a proof in so much as do the Shari'ah evidences.

If the judgment follows only the inclination of souls, it would lead to the consideration of the appreciation made by the laymen who are not endowed with knowledge. That is suspicious, since it is opposed to Shari'ah, and could not be among its evidences.

As for the second evidence, it has no argument for many reasons:

The first is that it seems to indicate that what is seen good by the Muslims is good; and the ummah could not unanimously agree on false. That they unanimously agree on what is good indicates to its being good under Shari'ah, since they do not unanimously agree on a thing without Shari'ah evidence. Thus, this is counted against and not in favor of the advocates of reason-based appreciation.

The second is that it is a solitary story in an incisive question; and in this

sense, it could not be considerable.

The third is that if what is intended thereby is some and not all the people with whom the consensus is established, the result would be to put into account the appreciation made by the laymen, and that is invalid, by consensus. It should not be said too that what is intended is the appreciation made by the men of Ijtihad, since this opposes the apparent meaning of the Hadith, which leads to invalidate the attestation. Furthermore, there is no point to put the condition of Ijtihad for appreciation, since what is appreciated could not be limited by evidences. For this reason, there is no need for that condition.

It may be argued: "This condition is put in order to avoid the opposition of evidences, which the laymen could not know."

In reply, let us say that it is not so. The appreciation (intended in the Hadith) springs from evidences, as supported by the fact that the Companions "Allah be pleased with them" limited their judgments to following the evidences, and understanding the purposes of Shari'ah.

In sum, that the religious innovators stick to those things do not avail them even in the least. Therefore, they may stick, in some of their religious innovations, to particular malicious allegations to be mentioned later, Allah willing, given that some of them have already been mentioned.

5.8. What Is Indicated From The Hadith

It may be argued: "Is there not any indication, in the Hadith, to take into account even what occurs in the heart and arises in the soul, regardless of the absence of any evidence, be it explicit or implicit, to support the Shari'ah rulings?"

it is narrated that The Messenger of Allah "peace be upon him" said: "Leave what rouses doubt in yourself for that of which you are certain. However, truthfulness brings about reassurance, whereas telling lies brings about suspicion."

It is narrated by Muslim on the authority of An-Nawwas Ibn Sam'an⁽¹⁾ that he said: I asked The Messenger of Allah "peace be upon him" about virtue and vice. He said: "Virtue is the good moral conduct, and vice is what rankles in your heart, and you dislike that people may know it."⁽²⁾

It is narrated on the authority of Abu Umamah⁽³⁾ "Allah be pleased with him" that he said: A man asked The Messenger of Allah "peace be upon him" saying: "O Messenger of Allah! What is faith?" he said: "When you are pleased with your good deeds, and displeased with your bad deeds, you are indeed a faithful believer." He further asked: "O Messenger of Allah! What is sin?" he said: "Leave what rankles in your breast."

It is narrated on the authority of Anas "Allah be pleased with him" that he said: I heard the Messenger of Allah "peace be upon him" having said: "Leave what rouses doubt in yourself for that of which you are certain."

It is narrated on the authority of Wabisah⁽⁴⁾ that he said: I asked The Messenger of Allah "peace be upon him" about righteousness and vice, thereupon he said: "Consult your heart; righteousness is what your soul and heart are assured of, whereas vice is what rankles in your heart and chest, even if people tell you again and again that it is permissible."

It is narrated by Al-Baghawi⁽⁵⁾ in his Mu'jam on the authority of 'Abd-Ar-Rahman Ibn Mu'awiyah⁽⁶⁾ that a man asked The Messenger of Allah "peace be upon him": "O Messenger of Allah! What is lawful for me from what is forbidden to me?" The Messenger of Allah "peace be upon him" kept silent. The man repeated the question thrice, and each time The Messenger of Allah

(1) At-Taqrīb, 2:308; Al-Jarh Wat-Ta'dil, 8:507.

(2) Sahih Muslim, Hadith no. 14:2553.

(3) Ash-Shatharat, 1:96; At-Taqrīb, 1:366.

(4) At-Taqrīb, 2:328; Al-Jarh Wat-Ta'dil, 9:47.

(5) Ash-Shatharat, 4:48-49; Tathkirat Al-Huffaz, 4:1257.

(6) At-Taqrīb, 1:498; Al-Jarh Wat-Ta'dil, 5:284.

“peace be upon him” kept silent. After that The Messenger of Allah “peace be upon him” said: “Where is the asker?” he said: “Here I am O Messenger of Allah.” He “peace be upon him” said, while clicking with his finger: “Leave that which your heart disapproves of.”

It is narrated on the authority of ‘Abdullah “Allah be pleased with him” that he said: “No doubt, the sin is what wrangles in the hearts. So, leave what wrangles in your heart. (It should be known to you that) Satan covets of having a share in anything about which you think.”

He further said: “The lawful is evident, and the unlawful is evident, and in between them, there are suspicious matters. So, leave what rouses doubt in your heart for that of which you are certain.”

It is narrated on the authority of Abu Ad-Darda' “Allah be pleased with him” that he said: “Truthfulness brings about reassurance, whereas telling lies brings about suspicion. Leave what rouses doubt in yourself for that of which you are certain.”

According to Shuraih: “Leave what rouses doubt in you for what rouses no doubt in you. By Allah, I have never found significant anything I left for the sake of the Countenance of Allah.”

From the meaning of those Hadiths, it appears that some Shari‘ah judgments could go back to what takes place in the heart, arises in the soul and occurs to the mind; and that if the soul is reassured about something, it will be right to do it, and if it is suspicious or uncertain about it, it will be forbidden to do it. That is just what you reject of the appreciation and depreciation, which one finds in the heart, and inclines to (or is disinclined from) with his opinion, even without a Shari‘ah evidence. Had such judgment been based on or restricted by a Shari‘ah evidence, it would not have been returned to what arises in the hearts and occurs to the minds. It indicates that the reason-based appreciation and self inclination have a strong impact on the legality of rulings; and that is what we seek to prove.

In reply to that, let us say that At-Tabari pretended, concerning those Hadiths and their likes, that some righteous predecessors rendered them authentic, and acted upon their connotations. Then, he related the early traditions reported from ‘Umar and Ibn Mas‘ud “Allah be pleased with them” and others. After that, he reported from others that they rendered them weak, and did not act upon them, and further shifted their meanings.

It is relevant to drive his words in this respect. So, I am going to relate his opinion in meaning rather than in wording, in avoidance of lengthiness.

He related from some men their opinion that there is nothing in the religion but that Allah stated it in wording, or clarified it in meaning. If it is lawful, then, it becomes incumbent upon the one who acts upon it, in case he is a scholar, to make it lawful; and if it is unlawful, it is incumbent upon him to make it unlawful; and if it is unfavorable, it is due on him to believe that it is lawful, or leave it just by way of abstention (from suspicion).

But it is not valid to act upon what occurs to mind and arises in the soul, since The Messenger of Allah “peace be upon him” himself was forbidden by Allah from that, as shown in His statement to him: **{We have sent down to you the Book in truth, that you might judge between men as guided by Allah: so be not (used) as an advocate by those who betray their trust.}** [An-Nisa' 105] He commanded him to judge according to the guidance given to him by Allah, rather than his personal opinion and self talk. Since the Prophet “peace be upon him” was forbidden to do so, then, this forbiddance should be enforced, more precisely, upon anyone else. If he is ignorant, he should ask the learned, apart from his self talk.

It is narrated on the authority of ‘Umar "Allah be pleased with him" that he addressed the people saying: "O people! The acts of Sunnah have been made, and the obligatory duties ordained for you, and you have been left on the clear path, lest you would go astray with the people rightwards and leftwards."

It is narrated on the authority of Ibn ‘Abbas "Allah be pleased with them" that he said: "What is lawful and unlawful in the Qur'an should be rendered lawful and unlawful, and what is left unspoken is remitted."

According to Malik: "The Messenger of Allah “peace be upon him” died and this matter (of religion) was complete and became perfect. So, it is the tradition of The Messenger of Allah “peace be upon him” and his Companions which should be followed, rather than the personal opinion. However, whoever follows the opinion of himself, he may encounter another man of stronger opinion, whom he will follow, and so on in an endless series."

You should also act upon the Prophetic traditions:

It is narrated on the authority of Jabir "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said: "I have left among you (two things) which, if you hold fast to, you would never go astray: the Book of Allah and my Sunnah; and they would not be divided until they would come upon the Lake-Fount."

It is narrated on the authority of ‘Amr Ibn Shu‘aib from his father from his grandfather (‘Amr Ibn Al-‘As) that he said: One day, The Messenger of Allah “peace be upon him” came out and the people were engaged in argumentation about the Qur'an, thereupon his face turned red (out of severe anger) and said: "O people! It is by this that those who were before you were ruined. They argued with each other about the Qur'an (their Scriptures), and made its parts contradict each other. So, act upon what is lawful therein, desist from what is unlawful therein, and believe in what is imprecise (not entirely clear) therein."

It is narrated on the authority of Abu Ad-Darda' "Allah be pleased with him", elevating it to The Messenger of Allah “peace be upon him” that he said: "What Allah has made lawful in His Book is lawful, what He has made unlawful is unlawful, and what He has left undecided is remitted. So, accept the

remittance of Allah, because it is not fitting for Allah to forget: **{and your Lord never does forget.}** [Maryam 64]

Those stories and news indicate to the necessity of acting upon the Book of Allah Almighty, and the Sunnah of The Messenger of Allah “peace be upon him” and no more, and the one who acts upon that never goes astray. No one is permitted to act upon anything else other than what is in Allah's Book and the Prophetic Sunnah. Had there been anything else to be acted upon other than those two, it would have been shown to the people. Whoever claims that is invalidator.

It may be argued that The Messenger of Allah “peace be upon him” laid the foundation to a third legislative source for his ummah, shown in his statement: "Consult your heart; righteousness is what your soul and heart are assured of, whereas vice is what rankles in your heart and chest, even if people tell you again and again that it is permissible." He “peace be upon him” further said: "The sin is what wrangles in your heart."

In reply, let us say that had those narrations been authentic, then, this would have invalidated his command to act upon the Book and the Sunnah. That is because the judgments and rulings of Allah and His Messenger “peace be upon him” do not depend upon the people's appreciation and depreciation of things. That must have been a third legislative source other than the Book and the Sunnah, if anything of the religion is supposed to be outside them; and there is not. Thus, there should be nothing other than the Book and the Sunnah to act upon.

It may further be argued that his statement "Consult your heart" and its like addresses the issues in connection with which there is no text in the Book and the Sunnah, and is disputable among the people of this ummah; and in this sense, it is considered a third legislative source.

In reply, let us say that it is impermissible for many reasons:

One is that anything in connection with which there is no certain text, should have an indication concerning it. If the heart's consultation and its like is to stand for indication, then, the Shari'ah evidence for it would be of no significance. Thus, it would be useless, and that is invalid.

The second is that Allah Almighty says: **{If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa' 59] He commanded the men in dispute to refer to Allah and His Messenger “peace be upon him” rather than the talk of hearts and souls.

The third is that Allah Almighty says: **{if you realize this not, ask of those who possess the Message.}** [An-Nahl 43] He thus ordered them to ask the learned men of knowledge to tell them about the truth over which they differed of the matter of Muhammad “peace be upon him”, and did not command them to consult their hearts and souls.

The fourth is that Allah Almighty said to His Prophet “peace be upon him”, establishing the argument against those who reject His Oneness: **{Do they not look at the Camels, how they are made? And at the Sky, how it is raised high? And at the Mountains, how they are fixed firm? And at the Earth, how it is spread out?}** [Al-Ghashiyah 17-20] He commanded them to take consideration by the lessons He presented to them, and seek evidence by the indication He revealed to them, which confirm the authenticity of what was brought to them by the Prophet “peace be upon him”, rather than to consult their hearts. Since Allah Almighty has given indications and proofs, it is due on everyone, concerning the things for which indications have been given, to seek evidence on the light of those indications, other than the consultation of the hearts and souls of those ignorant of the decisions and judgments of Allah Almighty.

This is what was related by At-Tabari from the early predecessors. Then he went for enforcing those Hadiths, because all, or at least some, of them were rendered authentic in his sight, like the Hadith which reads: "The lawful is evident and the unlawful is evident...", which is authentic and narrated by both Al-Bukhari and Muslim, and its like. But he did not enforce them in all categories of Fiqh, because it is impossible in legislating the deeds and imposing the acts of worship. For example, it could not be said, if you are reassured about this deed, then, do it because it is righteous, or consult your heart about that deed, and if you get comforted about it, then, do it because it is good, otherwise, leave it, and so on.

The same applies also to the legislation of abandonment, which the meanings of the Hadiths could not be construed to affirm. It could not be said that if you get reassured about leaving anything, then, leave it, otherwise, act upon it. The mentioned Hadiths are enforced only within the limitation of the statement of The Messenger of Allah “peace be upon him”: "The lawful is evident, and the unlawful is evident..."

The normal habits such as the use of food, water, clothing, marriage, and their likes, are also divided into what is evidently lawful and what is evidently unlawful; and in between them, there are some suspicious, whose being lawful and unlawful is undecided. In those matters, to leave what is suspicious, of which one is ignorant, is preferable than to do it. This goes back to the statement of The Messenger of Allah “peace be upon him”: “When I return to my family, it happens that I might find a date fallen on my bed. When I lift it in order to eat it, I throw it, for fear that it might be (from among those) given in charity.”⁽¹⁾ This date has only two cases: it may be from the objects of charity, and thus unlawful for him, or not from the objects of charity, and thus lawful for him. He then did not eat it for fear it would be from the objects of charity, and thus unlawful for him.

(1) Sahih Al-Bukhari, Hadith no. 2432; Sahih Muslim, Hadith no. 1070.

According to At-Tabari, it is the right of Allah upon His servant, concerning what seems suspicious to him, whether to leave or act upon it, given that it is not obligatory, that he should leave what rouses doubt in his breast to what rouses no doubt in his heart, thereby he removes suspicion from himself. A typical example is the one who likes to betroth a girl, and another woman tells him that she breast-fed both of them, which means that they are foster-brothers, and at the same time, he does not know whether she is truthful or untruthful. If he abandons the idea of marriage from that girl, he will remove from himself the doubt that may arise in his breast because of the information given to him by the woman, seeing that his marriage from her is not obligatory. But if he marries her, he will not be reassured about whether or not this woman is lawful for him.

Similarly, the opinion of 'Umar "Allah be pleased with him" should be construed to address what is abstruse of transactions, and one does not know as to whether it is lawful or unlawful. Leaving it reassures the soul and comforts the heart, whereas in doing it there is suspicion, as to whether or not the doer is sinful. That is the significance of the statement of The Messenger of Allah "peace be upon him" to An-Nawwas and Wabisah "Allah be pleased with them". Evidence is taken from the Hadith of the suspicious matters. It is not, as assumed by some, a command to the ignorant to know depending upon what is seen by themselves, thereupon do what they see good and leave what they see bad, without asking the learned scholars among them.

At-Tabari resumes: It may be argued: if one said to his wife: "You are unlawful for me", and then he asks the learned scholars about that, and they differ in opinion over that issue. Some of them said: "She has been divorced from you irrevocably." Others said: "She is lawful for you, except that expiation for oath is due on you." A third group said: "The judgment on that is suspended on his intention: if he intends divorce, then, it will be divorce; and if he intends Zhihar, it will be Zhihar; and if he intends only an oath, it will be an oath; and if he intends nothing, then, there will be nothing due on him." Should this difference in judgment be sufficient to make him leave the woman, as is the case with the information of suckling given by the woman, in which he is commanded not to marry the girl, for fear of falling in what is forbidden?

As far as the issue of the scholars is concerned, it is said that he should investigate their state of trustworthiness, reliability, and sincerity in advice to the religion, and then follow the most preponderant among them. That is possible, and the wrangling suspicion could be removed from the heart by virtue of that investigation. But the case is different when we come to investigating the states of the suckling woman, by which the wrangling could not be removed, even though her state is proved to be unpraiseworthy. From this point of view, they are quite different.

Therefore, on the other hand, they may be similar if the states of the scholars are investigated, and no one of them is found to be more

preponderant than the others, in which case, he is commanded to divorce his wife, the same as one is ordered not to marry the girl. From this point of view, there is no difference between them. That is the end of At-Tabari's discussion of this issue.

Concerning the difference of the scholars in opinion, he proved that the fatwa seeker is not given the freedom of choice here. He is just like the one upon whom the question seems too abstruse to know whether it is lawful or unlawful. There is no salvation for him from this suspicion but to follow the best and the most preponderant among them, and act upon his fatwa, otherwise, he should leave it (i.e. to divorce his wife), as it is that about which one could get reassured according to the above mentioned proofs.

6.8. A Problem To Solve In This Issue

There still remains in this issue a problem for anyone who opts for the consultation of his heart absolutely or with restriction. According to At-Tabari, the matter requires that depending upon the heart and self reassurance could be considerable in the Shari'ah rulings. However, the heart and self reassurance without evidence may or may not be considerable under Shari'ah. That it is not considerable contradicts what is indicated by those traditions. That it is considerable requires that there should be a third legislative source to be added to the Book and the Sunnah; and that is rejected by At-Tabari and others.

It may be argued that it is considerable only in leaving rather than doing. But even, it remains problematic too, since leaving or doing is an act which should be associated with a Shari'ah ruling, i.e. the permissibility or impermissibility; and that is suspended on the presence or absence of self reassurance. If there is evidence to support it, there will be no problem.

The answer is that the speech seems valid. But it should be put to thorough investigation.

It should be known to you that every issue should be viewed from two perspectives: the first addresses the proof for the judgment, and the other its rationale. As for the investigation of the proof of judgment, it goes back only to the Book and the Sunnah, and what is referred to after them, such as the consensus and analogism. But no consideration should be given to self reassurance, or negation of the heart suspicion except in as much as to belief whether or not the evidence is really so. No one says anything different, except the religious innovators who see things good or even bad without evidence at all other than self reassurance. But the matter is not as they allege, since it contradicts the consensus of the Muslims.

As for the rationale, it is not necessary to be proven only by a Shari'ah evidence. It could be established by evidence from Shari'ah or anything else; and it is not requisite for it to attain the degree of Ijtihad, not to mention the rank of knowledge in general. Do you not see that if a layman is asked about the act that is not integral to the prayer: should it nullify the prayer? He would say, unthinkingly: "If it is insignificant, it is pardonable; and if it is significant, it would invalidate the prayer, without doubt." In his answer, he does not wait until the scholar investigates the issue for him. Any man in full possession of mental faculties could easily differentiate between the insignificant and the significant. Here, the judgment is established, in terms of invalidity or not, upon what wrangles in the heart of the layman, regardless of having its origin in the Book and the Sunnah. That is because what wrangles in his heart is not evidence in so much as the rationale for the judgment. If the rationale is

established in any way whatsoever, then, the ruling itself would take place depending upon its Shari'ah proof.

Similarly, if we admit the obligation of immediate worship on purification, and differentiate between what is insignificant and what is significant in this issue during purification, the layman may be content with that according to what wrangles in his heart in terms of what is insignificant and what is significant, and his purification becomes invalid or valid according to what wrangles in his heart, since here he views the rationale (rather than the evidence) for the judgment.

Being so, if one has the flesh of a slaughtered sheep, it will be lawful for him to eat it, since its being lawful is apparent in his sight, and its prerequisite is visible, on the basis of the fact that its rationale takes place for him. At the same time, if one has the flesh of a dead sheep, it will be unlawful for him to eat it, since its being unlawful is apparent in his sight, on the basis of missing the prerequisite of being lawful, thereupon the rationale for its being unlawful occurs to him.

Each rationale goes back to what wrangles in the heart, and the self is reassured about, rather than to the matter in itself. Do you not see that the flesh may be the same for both persons, and one of them thinks it is lawful, on the basis of the fact that the rationale for being lawful takes place to him, and the other thinks it is unlawful, because the rationale for being unlawful occurs to him, with the result that the former eats as being lawful for him, and the latter should leave as being unlawful for him?

If what wrangles in the heart should depend on a Shari'ah evidence, this example would be invalid, if not impossible, since the Shari'ah evidences could not contradict each other. But if the flesh is confusing to the owner and he could not determine as to which side he should incline, such as the mixing of the flesh of a dead sheep with that of a slaughtered sheep, of one's wife with another woman unlawful for him, this will lead to suspicion, doubt and difficulties.

This rationale needs a Shari'ah evidence to clarify it, i.e. the previously mentioned Hadiths in which he says: "Leave what rouses doubt in your heart for that which rouses no doubt." And: "Righteousness is that about which the self is reassured, and the sin is what wrangles in the heart." He seems to say that anything the rationale for whose being lawful or unlawful occurs, this means that its ruling in Shari'ah is evident; and whatever seems problematic and abstruse upon you, then, leave it, and avoid putting yourself to confusion because of it. That is the significance of his statement: "Consult your heart, even if people tell you again and again that it is permissible." That is because you are more capable, than anyone else, of realizing the rationale for your issue.

This becomes clear when the rationale is abstruse on you and not so on another, because he has not encountered the same as you have encountered.

Of course, by his saying: "And even if the people tells you that it is permissible", he does not mean if they transmit to you the Shari'ah ruling to you, leave it and depend on what occurs to your mind and wrangles in your heart. That is indeed false, and invention of lies against Shari'ah. What is intended is the realization of the rationale.

It is true that another person than you may realize it for you, and that form is irrelevant to our issue. Furthermore, the realization of rationale may be suspended on the definition put by the lawgiver, like the definition of richness with which Zakah becomes due: as this richness differs by the difference of states, the lawgiver realizes it by twenty Dinars or two hundred Dirhams and so. The emphasis should be stressed on that whose realization is entrusted to the one competent for religious assignments.

Now, the meaning of the question is clear. That is, the Hadiths do not intend that the Shari'ah judgments and rulings could be established depending only on the heart inclination and self reassurance, as falsely assumed by the asker. That is indeed an evident fact in which there is no doubt; and all perfect praise be to Allah, with Whose favors all righteous deeds are perfect.

9. WHY SECTS OF RELIGIOUS INNOVATORS WERE DIVIDED FROM COMMUNITY OF MUSLIMS

It should be known to you, may Allah bestow mercy upon you, that the Quranic Holy Verses and a lot of Prophetic Hadiths in condemnation of the religious innovations affirm the attribute of division to the different sects of religious innovators, because of which they are divided into factions and parties, unfit for assembly even under Islam, even though they are of its men, and rendered as Muslims.

Allah Almighty says: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least.}** [Al-An'am 159] He further said: **{and be not of the polytheists, Of those who split up their religion (i.e. who left the true Islâmic Monotheism), and became sects, (they invented new things in the religion, and followed their vain desires), each sect rejoicing in that which is with it.}** [Ar-Rum 31-32] He also says: **{"And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."}** [Al-An'am 153] Do you not see how those, as well as others indicate to such division?

The Messenger of Allah "peace be upon him" said in this respect: " my (Muslim) ummah will be divided into seventy-three sects (all of which will be in fire except for one)." ⁽¹⁾ Division springs, in principle, from difference in doctrines and opinions. It is unlike the physical division which is the separation from each other; and that is its real meaning. But the division in opinions means the difference and disparity, as stated by Allah in His saying: **{And be not as those who divided and differed among themselves after the clear proofs had come to them.}** [Al 'Imran 105]

(1) Abu Hurairah. [Abu Dawud, Hadith no. 4596 and 4597 on the authority of Mu'awiyah; At-Tirmithi, Hadith no. 642; Ahmad 2:332, and on the authority of Anas, 3:120; Ibn Majah, Hadith no. 3991, 3992; 'Abd-Ar-Razzaq in his Musannaf, 10:156; At-Tabarani in Al-Awsat on the authority of Anas, 1:209-210, Hadith no. 1052, 1053, 1054, 1055, 1056, 1057; Ibn Hibban and Al-Hakim who rendered it authentic: see Kashf Al-Khafa'].

1.9. Causes Of Difference

The difference has two causes. One is acquired, and the other is not acquired. That which is not acquired goes back to the Divine decree and fate. For this reason, it is described as preordained. The other is acquired, and it is that on which the discussion in this section of the book is centered. But, let us make the preordained one introductory to the other which is acquired, because in it, there is a principal meaning to be verified by one who likes to be well conversant with the religious innovations. So, we say, and it is Allah Who guides us to what is right:

Allah Almighty says: **{If your Lord had so willed, He could have made mankind one People: but they will not cease to dispute, Except him on whom your Lord has bestowed His Mercy (the follower of truth - Islâmic Monotheism) and for that did He create them. And the Word of your Lord has been fulfilled (i.e. His Saying): "Surely, I shall fill Hell with jinn and men all together."}** [Hud 118-119]

Here, Allah Almighty tells that those peoples would remain in difference and disagreement forever, given that He created them to be different. That is the opinion of some commentators, taking their evidence from His statement **{and for that did He create them}**, i.e. it is for that difference that He created them.

That opinion is narrated from Malik Ibn Anas who said: "He created them so that one party would be in Paradise, and the other in the blazing fire." The same is narrated from Al-Hasan. So, they would not do but what has been preordained and decreed upon them. The difference intended here is not in forms and features, like the beautiful and the ugly, the tall and the short, nor in colours, like the red and the black, nor in character, like the perfect and the defective, the blind and the sighted, the deaf and the hearing, nor in the manners like the brave and the coward, the generous and the niggard, to the end of those fields, in which they are different.

What is really intended is another kind of difference. It is the dispute for which Allah Almighty sent the Prophets and Messengers to judge between the disputing people concerning it, as shown in His saying: **{Mankind were one people and Allah sent Prophets with glad tidings and warnings, and with them He sent down the Scripture in truth to judge between people in matters wherein they differed. And only those to whom (the Scripture) was given differed concerning it after clear proofs had come unto them through hatred, one to another. Then Allah by His Leave guided those who believed to the truth of that wherein they differed.}** [Al-Baqarah 213]

It is then the difference of opinions, doctrines, cults, religions and beliefs that is intended, by which man becomes either happy or wretched in the world as well as in the hereafter.

That is the difference between the people intended in the Quranic Verses in which it is mentioned repeatedly. That is, the difference between them has many points:

The first is the difference in the origin of the religion

It is the opinion of a group of commentators, including 'Ata', who said in connection with Allah's statement: **{but they will not cease to dispute, Except him on whom your Lord has bestowed His Mercy (the follower of truth - Islâmic Monotheism) and for that did He create them}**: "Those are the Jews, the Christians, the Magians and the worshippers of Allah Alone, and it is those whom Allah Almighty bestowed mercy." [Ibn Wahb] This seems clear from the Holy Verse at the first glance.

This dispute has its origin in the way they should express monotheism and turn their faces towards the One and Only. All the people, in general, believe in the fact that there is a being who created them, and continues to regulate their affairs. But they differed over designating him, and their opinions varied in this respect: some made this being two, others five, others denoted the nature, the stars, the time, and so on to the extent that some of them pointed out humans, others the trees, the stones, and what they sculpted with their own hands. Some of them recognized the causer of existence, regardless of their difference of opinion in this issue too.

They remained as such until Allah Almighty sent the Prophets and Messengers to clarify to their peoples the truth of the matters over which they disputed. Thus, they knew the truth as it should be, and deemed the Lord of lords far beyond all such imperfections unfit for His majesty as the ascription of partners, rivals, consorts and children to Him. Some recognized this fact, and thus were included under His saying: **{Except him on whom your Lord has bestowed His Mercy (the follower of truth - Islâmic Monotheism).}** but others rejected it, thereby became included under His saying: **{and the Word of your Lord shall be fulfilled: "I will fill Hell with Jinns and men all together."}** [Hud 119]

The former were covered up by mercy because they left dispute and division for unity and unanimity, described by His saying: **{And hold fast, all together, by the Rope which Allah (stretches out for you), and be not divided among yourselves.}** [Al 'Imran 103] This opinion is related from a group of Quranic commentators.

It is narrated by Ibn Wahb on the authority of 'Umar Ibn 'Abd-Al-'Aziz that he said in comment on Allah's saying: **{For this did He create them}**:

"He created the men of mercy and made them not in dispute." That is the same concept narrated from Malik and Tawus in his Jami'. But the others remained in difference, because they opposed the clear truth, and threw back the authentic religion.

It is narrated on the authority of Malik that he said: "Those whom He bestowed mercy are those who did not differ. In confirmation of that, Allah Almighty said: **{Mankind were one people and Allah sent Prophets with glad tidings and warnings, and with them He sent down the Scripture in truth to judge between people in matters wherein they disputed. And only those to whom (the Scripture) was given differed concerning it after clear proofs had come unto them through hatred, one to another. Then Allah by His Leave guided those who believed to the truth of that wherein they differed.}** [Al-Baqarah 213]

In this Holy Verse, He Almighty tells that they differed and did not come to agreement among themselves, thereupon He sent to them the Prophets and Messengers to judge between people in the truth of the matters wherein they differed. Those who believed were guided to the truth over which the others differed.

It is narrated in an authentic Hadith that The Messenger of Allah "peace be upon him" said: "We would be the last and the foremost on The Day of Judgment. We would be also the first (nation) to enter Paradise. But, they (both the Jews and the Christians) were given the Book before us, and we (Muslims) have been given it after them. They deviated, and Allah has guided us to the truth about which they differed. This was their day, about which they differed; and Allah has guided us to it. (He said Friday.) That day (i.e. Friday) is for us, the day after it (i.e. Saturday) is for the Jews, and the day next to it (i.e. Sunday) is for the Christians."⁽¹⁾

It is narrated by Ibn Wahb on the authority of Zaid Ibn Aslam that he said, in comment on Allah's saying: **{Mankind were one people}** i.e. on the very day He took from them their covenant, and never were they one people except on that very day **{and Allah sent Prophets with glad tidings and warnings, and with them He sent down the Scripture in truth to judge between people in matters wherein they disputed... Then Allah by His Leave guided those who believed to the truth of that wherein they differed.}** [Al-Baqarah 213]

They disputed about Friday: the Jews took Saturday to sanctify, and the Christian took Sunday, whereas Allah Almighty guided the ummah of Muhammad "peace be upon him" to Friday.

(1) Sahih Muslim, Hadith no. 855.

They also disputed over the Qiblah. The Christians faced the East, and the Jews faced Jerusalem, whereas Allah Almighty guided the ummah of Muhammad "peace be upon him" to the true Qiblah (i.e. the Ka'bah).

They disputed over the prayer: some of them bow and do not prostrate, and others prostrate and do not bow, and others do not speak in the prayer, and some pray while walking. Then, Allah Almighty guided the ummah of Muhammad "peace be upon him" to the truth of that.

They disputed about Abraham "peace be upon him". The Jews ascribed him to Judaism, and the Christian to Christianity; and Allah Almighty made him a true in faith bowing to Allah Alone. Then, Allah Almighty guided the ummah of Muhammad "peace be upon him" to the truth of that.

They also disputed over Jesus "peace be upon him". The Jews disbelieved in him, and invented great slanders against his mother (Mary), and the Christians made him a god (beside Allah Almighty), and the son of God; and Allah Almighty made him a spirit coming from Him, and His word which He bestowed upon Mary. Then, Allah Almighty guided the ummah of Muhammad "peace be upon him" to the truth of that.

On the other hand, those in agreement (the Muslims) may differ among themselves, but according to the secondary rather than the fundamental purpose. Allah Almighty, by His wisdom, decreed that the branches of that religion are apt to the difference of opinions and assumptions. It is a well-established fact that the theories and assumptions could hardly be unanimously agreed upon. But this disagreement addresses the branches rather than the fundamentals, the particles rather than the universals; and this is why it is not harmful.

The commentators related from Al-Hasan his saying about this Holy Verse: "As for those upon whom Allah has bestowed mercy, they do not differ in such a way as causes harm to them." He means the difference in the Ijtihad-based issues in connection with which there is no text to remove any excuses. On the contrary, they are excusable in that difference. Since the lawgiver knew that this kind of difference should inevitably take place, he fixed a fundamental origin to refer to, i.e. the statement of Allah Almighty: **{If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa' 59]

Allah then decreed that any difference to break up among the people of this ummah should be referred to Allah, i.e. His Holy Book, and to His Messenger "peace be upon him" as long as he was living, and to his Sunnah after his death. It is just that which the learned scholars did.

But even, one may ask whether or not they are included under the

significance of His statement: **{but they will not cease to dispute.}** the answer is in the negative. It is not fitting that those who differ as such should be included under that significance, due to the following reasons:

The first is that Allah says in the Holy Verse: **{but they will not cease to dispute, Except him on whom your Lord has bestowed His Mercy.}** Those in dispute then are opposed to those upon whom Allah Almighty has bestowed mercy. There are two divisions: those in dispute, and those in mercy, and without that, the exception would be of no value here.

The second is that He Almighty says in it: **{but they will not cease to dispute.}** the attribute of dispute then is inherent in them, whereas the men in mercy are quite free from that, because the attribute of Allah's bestowal of mercy upon them requires that they will not remain in dispute forever. If anyone of them disagrees with others about an issue, he does so just seeking the purpose of the lawgiver, until when his mistake seems clear to him, he reconsiders his opinion, and retracts from it. His difference over the issue then is transitory rather than permanent. That is because the attribute of difference is not inherent in him.

The third is that it is taken for granted that the people in mercy could differ over the Ijtihad-based issues. Such difference took place among the Companions "Allah be pleased with them" themselves, and those who followed them with good conduct "may Allah have mercy upon them". It is not fitting to include them under the men in dispute. If it is accepted that anyone of them who differed with others over some issues based on Ijtihad, would be regarded among the men in dispute, even at some point, it would be wrong to ascribe him to the men of mercy. That is invalid, by consensus among the men of Sunnah.

The fourth is that a group of righteous predecessors adopted the opinion that the difference among the people of this ummah over the branches and issue details is a kind of mercy for the ummah. Being so, by no means could such a different person be regarded not one of the men in mercy.

That such difference is a kind of mercy for this ummah is well clarified by many narrations. It is narrated on the authority of Al-Qasim Ibn Muhammad that he said: "No doubt, Allah Almighty benefited the people with the difference of the Companions of The Messenger of Allah "peace be upon him" in the deed. No one of the people does like the doing of anyone of them but that he thinks he is (right as being) at liberty."

It is narrated on the authority of Damrah Ibn Raja' that he said: Both 'Umar Ibn 'Abd-Al-'Aziz and Al-Qasim Ibn Muhammad gathered and went on studying the Hadith. 'Umar brought many things in which he differed with Al-Qasim, who felt it difficult upon himself, and the signs of that feeling became visible on him. On that 'Umar said to him: "Do not trouble yourself as such! I

would not be pleased to have (as much as) the red camels (the most precious and highly valued property in the sight of the Arabs) rather than their difference (which makes deeds easy upon men)."

It is narrated by Ibn Wahb on the authority of Al-Qasim Ibn Muhammad that he said: I admire the statement of 'Umar Ibn 'Abd-Al-'Aziz in which he said: "I do not like that the Companions of Muhammad "peace be upon him" did not differ (among themselves over the branches and the issue details), because were it to be only one opinion, the people would have been in constriction. Indeed, they (the Companions) are leading Imams to be followed and imitated; and if anyone acts upon the opinion of anyone of them, it would be then an item of Sunnah."

This means that they opened to the people the gate of Ijtihad in which it is permissible for them to differ. Had they not opened it, the Mujtahids then would have been in constriction, because the fields and areas of Ijtihad and assumptions could hardly be agreed upon unanimously as has already been mentioned. It would be of great harm to the Mujtahids to be required to follow what is close to their certainty, and, at the same time, feel it is different (from the orthodox). that is indeed to lay upon themselves what is beyond their capacity. It is, without doubt, the most severe constriction upon them.

But (fortunately), Allah Almighty made it extensive upon the people, by virtue of their difference over the branches and issue details, therewith opened for this ummah the gate to mercy. Then, how should they not be included in the division of those upon whom your Lord has bestowed mercy? Their difference is the same as their agreement upon those branches and issue details, and all perfect praise be to Allah, the Lord of the worlds.

Between those extremities, there is something in the middle, lower than the first, and higher than the other. There may be agreement in the fundamental origin of the religion, and difference in some of its universal rules; and it is that which leads to division into parties and factions.

The Holy Verse may then include this (third) division of dispute. For this reason, The Messenger of Allah "peace be upon him" said: "This (Muslim) ummah will be divided into over seventy sects (only one of which will be saved)." He "peace be upon him" further said: "Verily, you will imitate the conventions of the previous nations very closely, span by span, and cubit by cubit; and even if they entered into a hole of a lizard, you would follow them."⁽¹⁾ of course, this includes the disputes that broke up among the peoples before us (the Jews and Christians). This is supported by ascribing the religious

(1) Abu Sa'eed Al-Khudri. [Al-Bukhari, Hadith no. 3456 and 7320, and on the authority of Abu Hurairah, Hadith no. 7319; Muslim Hadith no. 16[19]; Ibn Majah Hadith no. 3994; Ahmad in his Musnad 2:327, 450, 511, 527, 3:84, 89, 94].

innovators to error and misguidance, and promising them of the Hellfire. This requires that they should be quite far from the men in mercy.

The Messenger of Allah “peace be upon him” was eager to draw our attention and guide us to the truth. It is narrated on the authority of Ibn ‘Abbas “Allah be pleased with both” that he said: “When The Messenger of Allah “peace be upon him” was on his deathbed and there were some men in the house, including ‘Umar Ibn Al-Khattab, he said: “Come near, I will write for you something after which you will not go astray.” ‘Umar said: “The Messenger of Allah “peace be upon him” is seriously ill and you have the Holy Qur'an. Allah's Book is sufficient for us.” In this way, the people in the house differed and started disputing. Some of them said: “Give him writing material so that he may write for you something after which you will not go astray.” But others said: “Follow what ‘Umar had said.” So when their noise and differences increased, The Messenger of Allah “peace be upon him” said: “Get up and leave me.” Ibn ‘Abbas “Allah be pleased with them” used to say (commenting): “What a great disaster it was that The Messenger of Allah “peace be upon him” was prevented from writing for them that book because of their differences and noise.”⁽¹⁾

It was, and Allah knows best, a Divine revelation he was inspired by Allah Almighty, that if he wrote a book to them, they would never go astray after it, thereby the ummah would come out of the division included in Allah's saying: **{but they will not cease to dispute}**, and become among those included in Allah's saying: **{Except him on whom your Lord has bestowed His Mercy.}** but Allah Almighty did only what had been preordained for them, as regards their difference just as those who were before them had already differed. We are content with Allah's decree and fate, and ask Him to keep us firm on the Holy Book and the Prophetic Sunnah, and cause us to die while constant on that, by His bounty and favor.

Some commentators went as far as to say that the men in dispute intended by the Holy Verse are the religious innovators, whereas the men in mercy are the established community of Sunnah. But this has an origin which goes back to the preordained fate, and the Quranic verses are apt to interpretation. However, this issue needs detailed discussion.

It should be known to you that the difference in some universal rules seldom takes place among those conversant with Shari‘ah science, and endued with deep knowledge about its resources and outlets.

The evidence is taken from the unanimous agreement of the first generation, and the majority of the second generation, regardless of the difference about the branches and issue details. But any dispute beyond that

(1) Sahih Al-Bukhari, Hadith no. 7366.

takes place for three reasons:

The first is that a man thinks, or is thought to be of the men of knowledge and Ijtihad in the religion, even though he has not attained that rank. He then acts upon that belief, and regards his opinion the one to be followed, and any dispute with him an opposition (to the right opinion). But this may occur sometimes in the branches and issue details, and sometimes in one or more of the fundamentals of the religion, be it creedal or practical. In many cases, he uses some particles of Shari'ah to ruin its universal rules, and acts upon what seems to him from it at the first glance, without encompassing in knowledge its meanings or deep understanding of its purposes. That symbolizes the religious innovator, to whom the authentic Hadith evoked. the Messenger of Allah "peace be upon him" said: "Allah does not remove the knowledge, by taking it away from (the hearts of) the people. But he removes it by causing the religious learned men to die. When no one of them remains, people will take as their leaders ignorant persons who, when consulted, will give their religious opinion without knowledge. So they will go astray and mislead the people too." ⁽¹⁾

According to many scholars, this Hadith indicates that the people would not be harmed, as far as religion is concerned, from the side of their true learned scholars. But the harm will be inflicted upon them when their learned scholars die, and give room to the ignorant to issue fatwa without knowledge. This meaning is expressed in other words, saying: "No trustworthy has ever betrayed his people. But the one entrusted was not trustworthy, thereupon he betrayed the people." In a phrase relevant to our discussion: "No learned scholar has ever made innovation in the religion. But fatwa was sought from one who was not learned, thereupon he made innovations in the religion."

It is narrated that Malik Ibn Anas said: "One day, Rabie'ah wept so much. He was asked: "Has a severe calamity befallen you?" he said: "No. but the fatwa has been sought from one who has no knowledge."

It is narrated by Al-Bukhari on the authority of Abu Hurairah "Allah be pleased with him" that the Messenger of Allah "peace be upon him" said: "There shall come upon people deceptive years, in which the liar will be regarded as truthful and the truthful will be held as a liar; the honest will be held as dishonest, while the dishonest will be held as honest; and Ar-Ruwaibidah will speak." The Companions asked: "What is Ar- Ruwaibidah?" The Prophet "peace be upon him" replied: "(It refers to) the inane people who speak about public affairs." ⁽²⁾

(1) It is narrated on the authority of 'Abdullah Ibn 'Amr Ibn Al-'As. Al-Bukhari, Hadith no. 100, 7307; Ibn Majah, Hadith no. 52; Ahmad, 2:162, 190, 203; Ad-Darimi, Hadith no. 239.

(2) It is narrated by Ibn Majah, Hadith no. 4036 Ahmad in his Musnad, Hadith no. 13322.

It is narrated that ‘Umar Ibn Al-Khattab "Allah be pleased with him" said: "I know when the people would be ruined. It is when the jurisprudence is brought by the young, and the old takes it from him (without verification); whereas when the jurisprudence is brought by the old, the young would follow him, thereupon both would be guided."

It is narrated that ‘Abdullah Ibn Mas‘ud "Allah be pleased with him" said: "The people will be in good as long as they take knowledge from the old (learned) among them. But when they take it from the young (foolish) and the evil ones among them, they would be ruined."

The scholars differed as to what ‘Umar "Allah be pleased with him" intended by the young. Ibn Al-Mubarak said: "Those are the religious innovators." That opinion is relevant, because the religious innovators are young (immature), at least in knowledge; and this is why they became religious innovators.

According to Al-Baji, "Perhaps, ‘Umar "Allah be pleased with him" meant by the young those who had no knowledge. He, in fact, used to consult the young (such as Ibn ‘Abbas), and his consultants from among the reciters included old and young men. But, it may be that he intended also by the young the low-ranking and disrespectful, because of their lacking religion and valor. But whoever abided by them should be high-ranking and respectful."

This interpretation is clarified by the narration of Ibn Wahb on the authority of Al-Hasan with a broken chain of transmitters that he said: "The worshipper without knowledge is like the one who walks on no guidance; and the worshipper without knowledge corrupts more than he reforms. So, seek after knowledge in a way that does not lead you to leave worship, and seek after worship in a way that does not lead you to leave knowledge. A people sought after worship on the expense of knowledge to the extent that they rebelled against the ummah of Muhammad "peace be upon him", and fought them with their swords, given that had they sought after knowledge, it would not have led them to do what they did."

He means Khawarij, and Allah knows best, because they recited the Qur'an, without understanding it (or acting upon its laws and rules), as referred to in the Hadith in which The Messenger of Allah "peace be upon him" said: "They will recite the Qur'an, but it will not go beyond their collar-bones (as they will neither understand nor act upon it)."

It is narrated from Makhul that he said: "The involvement of the laity in jurisprudence leads to the corruption of both the religion and the world, and the involvement of the lowly in the jurisprudence leads to the corruption of the religion."

According to Al-Firyabi, whenever Sufyan saw the non-Arab peasants

recording knowledge, the color of his face would change. I asked him: "O Abu 'Abdullah! I see that whenever you saw those recording knowledge, you would feel it difficult!" he said: "In the past, knowledge was common among the Arabs and the chiefs among the people. But if it left them for those non-Arab peasant and lowly, the religion would change."

If those traditions and their likes are construed according to the interpretation mentioned above, they would be held straight. If you deduce all, or at least the majority of the men of religious innovations from among the scholastic theologians, you would find out that they, for the most part, belong to the offspring of the slave-girls captured from the non-Arab nations, and those who are not Arab native speakers. Being so, very soon, the Book of Allah would be understood improperly, and whoever does not comprehend, in knowledge, the purposes of Shari'ah, would understand them inappropriately.

The second reason for difference is to follow the inclination. So, the religious innovators are always called men of inclinations, because they follow their own inclinations rather than take the Shari'ah evidences as one who needs to rely on them to support his arguments. But they give priority to their inclinations and personal opinions, and consider the Shari'ah evidences only servers to their fancies.

Most of those are the advocates of reason-based appreciation and depreciation, who incline to philosophers and theologians. Some of them are of those who fear sultans in the hope of getting what they have of wealth or majesty, thereupon anyone of them may incline with them and do his best to find interpretations to justify what they like to do, as transmitted by the scholars and those who accompanied the sultans and kings.

The former, i.e. those of reason-based appreciation and depreciation, rejected a lot of authentic Hadiths, depending only upon their minds and personal opinions, and had bad assumption of what was proven to be authentic from The Messenger of Allah "peace be upon him". In return, they had good assumption of their invalid opinions, and rejected many things of the unseen of the hereafter, like the Sirat, the balance of deeds, the mustering of men in body, the bliss, and the corporal punishment. They also denied the vision of Allah Almighty (in the hereafter), etc. they gave mind the authority to be a lawgiver, regardless of Shari'ah. Shari'ah, if there is any, came only to expose the judgments of their minds.

The latter, i.e. these of sultans, left the clear path and the right way for the debates and controversies, regardless of being opposed to the quest of Shari'ah, just to be able to overpower their enemies, support their allies, or even benefit their own selves.

Some scholars issue their fatwa in this respect in which they follow their inclination; and it is one of the created innovations in the religion of Allah.

Furthermore, giving the mind absolute governance over the religion is also created. This will be discussed in more detail later, Allah willing.

Following the inclination is the origin of deviation from the straight path, as confirmed by Allah in His saying: **{It is He Who has sent down to you (Muhammad) the Book (this Qur'an). In it are Verses that are entirely clear, they are the foundations of the Book; and others not entirely clear. So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings), but no one knows its hidden meanings save Allah.}** [Al 'Imran 7] It is their habit to abandon the clear and follow the unclear, in opposition to the truth.

It is narrated that Ibn 'Abbas "Allah be pleased with them" said, and a mention was made of Khawarij, and what they would receive in the Qur'an: "They believe in the Holy Verses of clear precise and well-established meaning, and are ruined when they come to those thereof of imprecise meaning." Then, he recited: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings).}** [Al 'Imran 7] ⁽¹⁾ This tradition is narrated by Ibn Wahb.

No doubt, the inclination is condemned in the Qur'an as indicated by His saying: **{See you such a one as takes for his god his own passion (or inclination)? Could you be a disposer of affairs for him? Or think you that most of them listen or understand? They are only like cattle; nay, they are worse astray in Path.}** [Al-Furqan 43-44] No mention of inclination is made in the Qur'an but in the context of condemnation.

It is narrated by Ibn Wahb on the authority of Tawus that he said: "No mention is made of inclination by Allah in the Qur'an without being condemned." He recited: **{and who is more astray than one who follows his own inclination, devoid of guidance from Allah? For Allah guides not people given to wrongdoing.}** [Al-Qasas 50]

It is also narrated by him on the authority of Ibrahim Ibn Al-Mahdi that a man asked An-Nakh'i about the inclinations, which of them is good? On that he said: "Allah never made in anything thereof even an atom's weight of good. They are but the adornment of Satan. The matter (to be followed) is only that of the first generation." He means that on which the righteous predecessors were.

It is further narrated by him on the authority of Ath-Thawri that a man came to Ibn 'Abbas "Allah be pleased with them" and said to him: "I am

(1) Musannaf Ibn Abu Shaibah, Hadith no. 39056; Musannaf 'Abd-Ar-Razzaq, Hadith no. 20895.

following your inclination." On that Ibn 'Abbas said to him: "All inclinations are but error. What does it mean to be on one's inclination?"

The third reason for dispute is to persist in following the normal habits, regardless of being invalid and opposed to the truth. It is to follow the norms and ways of the forefathers and old men, whatever they might be. It is indeed the condemned imitation, which Allah Almighty criticized in His Holy Book, saying, for instance: **{Nay! they say: "We found our fathers following a certain religion, and we do guide ourselves by their footsteps."... He said: "What! even if I brought you better guidance than that which you found your fathers following?" They said: "For us, we deny that you (prophets) are sent (on a mission at all)." So We exacted retribution from them: now see what was the end of those who rejected (Truth)!}** [Az-Zukhruf 22-25] and: **{He said: "Do they listen to you when you call (on them), Or do you good or harm?" They said: "Nay, but we found our fathers doing thus (what we do)."} [Ash-Shu'ara' 72-75]** Although he brought to their mind the clear evidence (of their error), they insisted on worshipping them, in imitation of their fathers.

That is the same meaning of the Prophetic Hadith previously mentioned in which The Messenger of Allah "peace be upon him" said: "The people will take as their leaders ignorant persons who, when consulted, will give their religious opinion without knowledge. So they will go astray and mislead the people too."⁽¹⁾ Here, he indicated to the imitation of the previous men, whatever they might be.

It is narrated on the authority of 'Ali Ibn Abu Talib "Allah be pleased with him" that he said: "Beware of imitating men: a man may do like the doing of the inhabitants of Paradise, and then, due to his predestined fate according to the knowledge of Allah, turn to do like the doing of the denizens of the Hellfire, and die while being among the denizens of the Hellfire. At the same time, one may do like the doing of the denizens of the Hellfire and, due to his predestined fate according to the knowledge of Allah, turn to do like the doing of the inhabitants of Paradise, and die while being among the inhabitants of Paradise. So, if it is necessary for you to do (imitate men), then, imitate only the dead rather than the living."⁽²⁾

He indicated to acting upon what is precautionous in the religion, and not to depend upon the doing of anyone, until his deed is verified well, because the one whose deed is imitated by others may do in opposition to the Sunnah. For this reason, it was said: "Do not look at the deed of the scholar. But rather ask

(1) It is narrated on the authority of 'Abdullah Ibn 'Amr Ibn Al-'As. Al-Bukhari, Hadith no. 100, 7307; Ibn Majah, Hadith no. 52; Ahmad, 2:162, 190, 203; Ad-Darimi, Hadith no. 239.

(2) Jami' Al-Ahadith, As-Suyuti, Hadith no. 33008; Kanz Al-'Ummal, Hadith no. 1594.

him, perchance he would tell you the truth."

The statement of 'Ali "Allah be pleased with him": "So, if it is necessary for you to do (imitate men), then, imitate only the dead rather than the living" makes a fine point here. He means the Companions "Allah be pleased with them" and those who followed them with good conduct, whose knowledge and fatwas are reliable. It does not apply to anyone else who has not attained this rank. His example is like a person who sees a man of whom he has a good assumption. This man does a deed which may or may not be valid, under Shari'ah, thereupon the beholder imitates him absolutely, depends upon him in worship, and takes him for reference in the religion of Allah Almighty. That is indeed the evident error, unless he verifies of the ruling of the deed, by asking those fit for issuing fatwa.

It is this tendency which inclined with the majority of the laymen among the religious innovators. Anyone of them may stick to an ignorant Shaykh, or a Shaykh who has not attained the rank of the learned scholars, and see him doing something which he assumes to be an act of worship, thereupon he imitates him in it, be it corresponding to or disagreeing with Shari'ah. He also takes him for reference to support his argument against anyone coming to guide him, and says to him: "So and so, one of the Awliya', used to do it, and he is worthy of imitation." By so doing, he imitates the one of whom he has good assumption, regardless of being right or mistaken. He is just like those who imitated their forefathers absolutely, under the claim that their forefathers and old men did not so uselessly, in so much as on guidance from evidences and proofs, given that no proofs nor evidences are visible in it, so that it could be adopted.

2.9. Those Reasons Go Back To Ignorance Of Shari'ah Purposes

Those three reasons go back, in principal, to one thing: i.e. the ignorance of the Shari'ah purposes, and conjecture of their meanings and concepts, just depending upon unproven assumption or established investigation, in so much as on fleeting reflection, a characteristic unique only to one not endued in knowledge. Do you not see how the Khawarij deserted the religion just as an arrow comes out of the game's body?

The Messenger of Allah "peace be upon him" described them that they would recite the Qur'an, but it would not go beyond their collar-bones. That is, and Allah knows best, they would not comprehend it in knowledge so enough that their minds would not get it, for understanding is the function of the mind, and unless it reaches the mind, it would become like the voices which do not go beyond the throat, shared between both the one who understands and the one who understands not. He "peace be upon him" further said in this respect: "No doubt, Allah does not take away knowledge by depriving the people of it after He had given it to them..."

Ibn 'Abbas "Allah be pleased with them" got that meaning in his interpretation. It is narrated by Abu 'Ubaid in his Fada'il Al-Qur'an and Sa'eed Ibn Mansur in his Tafsir, on the authority of Ibrahim At-Tamimi that he said: One day, 'Umar Ibn Al-Khattab "Allah be pleased with him" sat in seclusion, and wondered, how should this ummah differ given that its Prophet is one? He sent to Ibn 'Abbas "Allah be pleased with them" and said to him: "How should this ummah differ given that its Prophet is one, they all turn their faces to the same Qiblah (and, according to the addition of Sa'eed, they all follow the same Book (the Qur'an))?" on that Ibn 'Abbas "Allah be pleased with them" said: "O Commander of Believers! The Qur'an has been revealed to us, and we have recited it, and learnt the contexts in which it was revealed, and known that after us, there would be a people who would recite the Qur'an, but would not know the contexts in which it was revealed, with the result that each group would have an opinion in it. Such being the case, they would differ; and once they would differ, they would fight with each other." 'Umar then deterred and scolded him and he turned away and left him. 'Umar reflected what he had told him, and, having approved of it, he sent to Ibn 'Abbas once again, and said to him: "Repeat to me once again what you had said." He repeated it, and 'Umar approved of it, and further admired his statement. ⁽¹⁾

(1) Tafsir Sa'eed Ibn Mansur, no. 36; Fada'il Al-Qur'an, Abu 'Ubaidah: Al-Qasim Ibn Sallam, no. 76; Shu'ab Al-Iman, no. 2283; Kanz Al-'Ummal, no. 4167.

What Ibn 'Abbas "Allah be pleased with them" said is indeed the truth. If one learns well the very context in which a Quranic Verse or Surah was revealed, he would know its significance, interpretation and purpose, and if he is ignorant about that, he would lay upon it meanings beyond its bearing, with each group having an opinion different from the others, given their lacking establishment in knowledge that could guide them to the truth in it, or stop them from breaking into what is forbidden. Thus, they would depend upon their fleeting reflections, and interpretations on the light of conjectures which avail nothing against the truth even in the least, due to the absence of supportive proofs from Shari'ah, thereupon they would go astray, and mislead the people consequently.

This meaning is clarified well by the narration of Ibn Wahb on the authority of Bakir that he asked Nafi' about the opinion of Ibn 'Umar "Allah be pleased with them" of the Haruriyyah. He said: "He sees them the worst and the most evil among the creation of Allah." They get Quranic Verses which were revealed in connection with the disbelievers, and construe them to be in connection with the believers.⁽¹⁾

This opinion pleased Sa'eed Ibn Jubair⁽²⁾, who said: "Among the Holy Verses of imprecise meaning which the Haruriyyah act upon, a mention may be made of Allah's saying: **{If any do fail to judge by (the light of) what Allah has revealed, they are (no better than) disbelievers.}** [Al-Ma'idah 44] They join with it His saying: **{Yet those who disbelieve hold (others) as equal with their Guardian-Lord.}** [Al-An'am 1] if they see the ruler judging not with the truth, they render him a disbeliever, and whoever disbelieves has indeed held others as equal with his Lord, and whoever holds others as equal with his Lord has ascribed partners to Allah in worship. Those (Haruriyyah) then are polytheistic rebels against the ummah, who kill their opponents, simply because they interpret this Quranic Verse (to serve their purpose).

That is the meaning of the opinion evoked by Ibn 'Abbas "Allah be pleased with them" which springs from the ignorance of the context in which the Qur'an was revealed.

It may be argued that you have enjoined the difference in issue to be in the middle between both extremities, and made it incline to the first kind, i.e. the difference in religion, which is condemned as being error and misguidance; rather than to the other kind of difference which causes no harm, since it is difference only in the branches and issue details.

In reply, that this stands in the middle between both extremities needs not to be clarified except in the way mentioned above. On the other hand, their being not included under the first kind of difference clarifies that they do not belong to it, otherwise, the difference and division would not have befallen the

(1) Sahih Al-Bukhari, 9:16, no. 6930;.

(2) Ash-Shatharat, 1:108; At-Taqrīb, 1:292.

ummah (of Islam), nor would the lawgiver have told about it, nor would the righteous predecessors have drawn the attention to it.

If the people of the ummah adopted the religion after their abandonment of it, we could not say that they have agreed on it after disagreement with it. Similarly, we could not say that the people of the ummah have differed and divided after their agreement, or that some of them adopted disbelief after Islam. But it is rather said that the people of the ummah have, and would continue to divide and differ, if division takes place among them, along with their keeping the name of Islam. That is the truth in which there is no doubt.

It is in this context that The Messenger of Allah "peace be upon him" said about the Khawarij: "They will desert Islam as an arrow goes through a victim's body, so that the hunter, on looking at the arrow's blade, would see nothing on it. He would look at its strings and see nothing. He would look at its shaft and see nothing. He would look at its feathers and see nothing (neither meat nor blood), for the arrow has been too fast even for the blood and excretions to smear."⁽¹⁾ This expression does not point out the one who becomes apostate and renegade from Islam.

That these of major religious innovations are rendered disbelievers is debatable among the scholars of this ummah. But what seems stronger to me is that they are not disbelievers. The evidence is taken from the behavior of the righteous predecessors towards them. Do you not see how 'Ali "Allah be pleased with him" did with the Khawarij? He indeed treated them as Muslims in his war against them, in compliance with the statement of Allah Almighty: **{If two parties among the Believers fall into a quarrel, make you peace between them: but if one of them transgresses beyond bounds against the other, then fight you (all) against the one that transgresses until it complies with the Command of Allah; but if it complies, then make peace between them with justice, and be fair: for Allah loves those who are fair (and just).}** [Al-Hujurat 9]

When the Haruriyyah⁽²⁾ assembled and deserted the community of Muslims, 'Ali "Allah be pleased with him" did neither provoke nor raise fight against them. Were they to be considered apostates, by their desertion (from the group), he would not have abstained from fighting them, in view of the statement of The Messenger of Allah "peace be upon him": "Kill such as changes his religion."⁽³⁾ Abu Bakr "Allah be pleased with him" also set out to fight the apostates, and did not leave them. This indicates to the incisive difference between both issues.

(1) It is narrated on the authority of Abu Sa'eed Al-Khudri: Al-Bukhari, Hadith no. 3610.

(2) Belonging to the village of Harura', in Kufah, the first place in which they assembled against 'Ali. They are among the Khawarij whom 'Ali fought.

(3) Sunan Ibn Majah, Hadith no. 2535; Sunan Abu Dawud, Hadith no. 4351; Ahmad in his Musnad, Hadith no. 2551, 2552, 2968; 'Abd-Ar-Razzaq in his Musannaf, Hadith no. 18705; As-Sunan Al-Kubra, Al-Baihaqi, Hadith no. 17841.

When Ma'bad Al-Juhni⁽¹⁾ and his followers of Qadariyyah appeared, the righteous predecessors did but drove them away to exile, showed enmity towards them, and deserted them entirely. Were they to be rendered disbelievers, of a surety, the corporal punishment prescribed for apostasy would have been executed upon them.

During the caliphate of 'Umar Ibn 'Abd-Al-'Aziz, when the Haruriyyah emerged in Mawsil, he commanded to hold back from them, just in the same way as 'Ali "Allah be pleased with him" had already done, and did not deal with them as apostates.

On the other hand, although they follow their inclinations, and what is imprecise and not entirely clear in the Qur'an, thereby seeking the discord, and hunting its interpretation (the hidden meaning), they do not do so absolutely, and from all perspectives. Were they supposed to be so, they would have been rendered disbelievers, because no one does so without rejecting what is precise and entirely clear in the Shari'ah by way of obstinacy; and that is an evident disbelief.

One could hardly be described as an absolute opinionated, who gives trust to Shari'ah, and becomes at a point of thinking he is following the evidence. He is rather following Shari'ah, in his sight, and his inclination in quest for his purposes, which makes him mix the imprecise with the precise. Thus, he shares with the followers of inclinations in bringing the inclination in his faith, and the men of truth in accepting only what is proved by evidence, in general.

They also agree on the same purpose with the established community and men of Sunnah, i.e. to belong to Shari'ah. Take, for instance, one of the most disputable cases, i.e. the affirmation of attributes (to Allah Almighty): they are affirmed by some and denied by others, given that the purpose of both parties hovers round freeing Allah from all imperfections and defects, as indicated by evidences. But they differ over the way to do so, regardless of having the same purpose. Thus, it looks like the difference over the branches and issue details (rather than the fundamentals).

An evidence may be shown to the opponent among them, who, in turn, would retract from opposition and return to agreement, as done by as many as two thousand of the Haruriyyah who rebelled against 'Ali "Allah be pleased with him". But this rarely takes place among them, as previously mentioned that the religious innovator would hardly repent.

It is narrated by Ibn 'Abd-Al-Barr with a chain of narrators, elevating it to Ibn 'Abbas "Allah be pleased with them" that he said: When the Haruriyyah rebelled against 'Ali, men came to him in succession and said: "O Commander of Believers! The people are going to rebel against you." He said: "Then, leave them until they rebel."

One day, I said to him: "O Commander of Believers! Delay the (Zhuhr)

(1) Ash-Shatharat, 1:78-88; At-Taqrīb, 2:262.

prayer until it is somewhat cooler, so that I would not miss it before I go to the people (and return from them)." I came to them and they were on their siesta, with their faces tired of insomnia, and the signs of prostration visible on their foreheads, and there were shabby shirts on their bodies. They said: "What has led you to come O Ibn 'Abbas? What is this suite that is over your body?" I said: "Which fault do you find in that? I have seen The Messenger of Allah "peace be upon him" putting on the best of Yemenite clothes." Then I recited: **{Say: Who has forbidden the beautiful (gifts) of Allah, which He has produced for His servants, and the things, clean and pure, (which He has provided) for sustenance? Say: They are, in the life of this world, for those who believe, (and) purely for them on the Day of Judgment.}** [Al-A'raf 32]

they asked: "Anyway, what has brought you?" I said: "I have come to you from the Companions of The Messenger of Allah "peace be upon him" and there is no one of them among you. I have come to you from the paternal cousin of The Messenger of Allah "peace be upon him". It is upon those (Companions) that the Qur'an was revealed, and they have the best knowledge about its interpretation. I have come to go between you." Some of them said: "Do not argue with those of Quraish, about whom Allah says: **{they are a contentious people.}** [Az-Zukhruf 58] others said: "No, let us argue with him." Two or three of them argued with me.

I asked them: "For which things have you ill-treated him?" they said: "Three." I said: "What are they?" they said: "The judgment of men in the religion of Allah Almighty, given that Allah Almighty says: **{The Command rests with no one but Allah: He declares the Truth, and He is the best of judges.}** [Al-An'am 57] I said: "That is the first. What is next?" they said: "He fought, and neither took captives, nor got war booty. If they were believers whom he fought, then, fighting them would have not been unlawful; and if they were disbelievers, then, it would be lawful not only to fight them, but also to take captives and get war booty from them." I said: "What is next?" they said: "He deprived himself of the title 'the Commander of Believers'. If he was not the commander of the believers, he then would be the commander of the disbelievers."

I said: "Then, tell me, if I bring to you, from the Holy Qur'an and the Sunnah of His Messenger "peace be upon him", evidences that contradict your argument, would you retract from your opinions?" they said: "What is the matter with us that we would not retract?"

He said: "As for your first argument about the judgment of men concerning the command of Allah, no doubt, Allah Almighty says about killing the game: **{O you who believe! kill not game while in the Sacred Precincts or in pilgrim garb. If any of you does so intentionally, the compensation is an offering, brought to the Ka'bah, of a domestic animal equivalent to the one he killed, as adjudged by two just men among you; or by way of**

atonement, the feeding of the indigent; or its equivalent in fasts; that he may taste of the penalty of his deed. Allah forgives what is past: for repetition Allah will exact from him the penalty. For Allah is Exalted, and Lord of Retribution.} [Al-Ma'idah 59] He also says about the woman and her husband: {If you fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, Allah will cause their reconciliation: for Allah has full knowledge, and is acquainted with all things.} [An-Nisa' 35] by so doing, Allah Almighty entrusts the matter to the judgment of men. I beseech you by Allah to tell me: do you know that the judgment of men concerning the blood of the Muslims and settlement of peace between them is better or theirs on a rabbit's blood of no more than one-fourth a Dirham, or on having sexual intercourse with a woman?" they said: "Nay! That (the former) is better." I said: "Then, have you finished from this issue?" they said: "Yes."

He further said: "As for your claim that he fought and neither took captives nor got war booty, tell me: would you like to take captive your Mother 'A'ishah? If you say that it is possible to take her as captive, and render lawful from her what we render lawful from any woman else, you then will have disbelieved; and if you say that she is not your mother, you then will have disbelieved. Thus, you are standing between two errors. Have you finished from this issue too?" They answered in the affirmative.

He said: "As for your allegation that he deprived himself of the title 'the commander of believers', let me bring to you something which would please you. When The Messenger of Allah "peace be upon him" made peace treaty on the day of Hudaibiyah with Abu Sufyan and Suhail Ibn 'Amr⁽¹⁾, he said: "Write, O 'Ali: "Those are the condition on which Muhammad, the Messenger of Allah, made peace treaty." Both Abu Sufyan and 'Amr Ibn Suhail said: "We do not know that you are the Messenger of Allah, and had we known that you are the Messenger of Allah, we would not have fought you." The Messenger of Allah "peace be upon him" said: "O Allah! You know that I am Your Messenger. O 'Ali! Write: "Those are the conditions on which Muhammad Ibn 'Abdullah with Abu Sufyan and Suhail Ibn 'Amr." Two thousand of them retracted, and the rest of them persisted (in their error), and set out for war and were killed entirely."⁽²⁾

(1) Ash-Shatharat, 1:28; Al-Ma'arif, 284.

(2) Al-Musannaf, 'Abd-Ar-Razzaq, Hadith no. 18678; Al-Mustadrak, Al-Hakim, Hadith no. 2656.

3.9. The Hadith Of The Division Of This Ummah

It is narrated in an authentic Hadith on the authority of Abu Hurairah "Allah be pleased with him" that The Messenger of Allah "peace be upon him" said: "The Jews were divided into seventy-one sects; and the Christians were divided also into the like of this; and my ummah will be divided into seventy-three sects."⁽¹⁾

According to the narration of Abu Dawud: "The Jews were divided into seventy-one or seventy-two sects; and the Christians were divided also into seventy-one or seventy-two sects; and my ummah will be divided into seventy-three sects."⁽²⁾

The explanation of this is given by At-Tirmithi in another Hadith narrated on an authority other than Abu Hurairah "Allah be pleased with him", in which The Messenger of Allah "peace be upon him" said: "The children of Israel have been divided into seventy-two cults, and my ummah will be divided into seventy-three cults, all of which will be in the Hellfire, save only one." They asked: "Who is it O Messenger of Allah?" he said: "(Those who follow) that adopted by me and my Companions."⁽³⁾

It is narrated on the authority of Mu'awiyah Ibn Abu Sufyan that the Messenger of Allah "peace be upon him" said: "The people of both Scriptures (the Jews and Christians) before you divided into seventy-two religious factions, and this (Muslim) ummah would be divided into seventy-three cults (of doctrines), all of which would be admitted to the fire (of Hell), except for one (to be admitted to Paradise), which is the established community (of Muslims who abide by all words and deeds involved in Sunnah). From amongst my ummah, there would come out some people, with whose blood such inclinations would circulate and reach everywhere in the body in the same way as a hydrophobia circulates with the blood of the affected one, until there would be neither vein nor joint but that it would enter into it."⁽⁴⁾

It is narrated on the authority of Abu Ghalib that he said: The Messenger of Allah "peace be upon him" said: "The children of Israel were divided into seventy-one sects; and this (Muslim) ummah will have a sect more (i.e. will be divided into seventy-two sects), all of which will be admitted to the Hellfire,

(1) Sunan At-Tirmithi, Hadith no. 2640.

(2) Sunan Abu Dawud, Hadith no. 4596.

(3) It is narrated on the authority of 'Abdullah Ibn 'Amr. See Sunan At-Tirmithi, Hadith no. 2641.

(4) Sunan Abu Dawud, Hadith no. 4597.

save these of the established community."⁽¹⁾

According to another narration, he "peace be upon him" said: "My ummah will be divided into more than seventy sects, the most tempting of whom will be those who depend on their opinions in making analogies, thereby make lawful the unlawful, and unlawful the lawful."⁽²⁾

But this narration is criticized by Ibn 'Abd-Al-Barr, because Ibn Ma'een described it as invalid and groundless, regardless of the opinion of some later scholars that its chain of narrators is good, unless Ibn Ma'een had learnt a hidden defect in it.

More strange is a narration made by Ibn Wahb in which The Messenger of Allah "peace be upon him" said: "The children of Israel have been divided into eighty-two cults, and my ummah will be divided into eighty-three cults, all of which will be in the Hellfire, save only one." They asked: "Who is it O Messenger of Allah?" he said: "(The established community."

Being so, many questions could arise from this Hadith:

The first question: pertains to the reality of this division

This division may be taken absolutely, as connoted by the word, or restrictively, given that this restriction may not be indicated, but rather probable. The absolute division is not valid, in the sense that not all forms of difference are included under one kind of division. It is not requisite for those different in the issue details and branches to be included under the general significance of division. That is indeed false, by consensus. There was difference since the time of the Companions "Allah be pleased with them" until now over the Ijtihad-based questions, and it began even from the time of the rightly-guided caliphs, and went on during the time of the Tabi'is, for which they were not criticized. Those who came later imitated the Companions in the extensive difference over the issue details.

Thus, the difference of juristic schools is not included in the general significance of the Hadith. The division intended is restricted, and although this restriction may not be stated explicitly by the Hadith, it is indicated by some Quranic Holy Verses. A mention may be made of Allah's saying: **{and be not you among those who join gods with Allah, Those who split up their Religion, and become (mere) sects, each party rejoicing in that which is with itself.}** [Ar-Rum 31-32] He further said: **{Verily, those who divide their religion and break up into sects, you (O Muhammad SAW) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.}** [Al-An'am 159]

Those Quranic Verses and their like indicate to the kind of division by which the people of one religion turn into sects, opposed to each the other.

(1) At-Tabarani in Al-Kabir, Hadith no. 8035, and in Al-Awsat, Hadith no. 7202; Musnad Abu Ya'li, Hadith no. 3938; Al-Kashshaf of Az-Zamakhshari, 2:83.

(2) Al-Mustadrak, Hadith no. 6325, 8325.

But Islam is one religion, which requires harmony rather than discord.

The division (intended by the Hadith) give the impression of dissension of hearts which leads to hatred and enmity; and that is why He Almighty said: **{And hold fast, all of you together, to the Rope of Allah (i.e. this Qur'an), and not be divided among yourselves.}** [Al 'Imran 103-104] He clarified that coming to harmony springs from agreement on holding fast to the same thing. But if each sect holds fast to an independent rope, the outcome would be division. That is the significance of Allah's saying: **{"And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path. This He has ordained for you that you may become pious."}** [Al-An'am 153]

Having been proven as such, the meaning becomes right by the wording of the Hadith; and Allah knows best.

The second question: if those sects were divided because of hatred and enmity among them, their division then may go back to a sin rather than a religious innovation

If those sects were divided because of hatred and enmity among them, their division then may go back to a sin rather than a religious innovation. An example is the difference between Muslims because of a worldly benefit, such as the difference between two villages because of transgression in property or blood, which rouses enmity between them, and splits them into two factions; or their difference over the presentation of a governor or the like of that, which causes them to become two different parties. This is possible, and could be felt by the people.

The Messenger of Allah "peace be upon him" said: "Whoever separated from the group of Muslims even to the extent of a span and then he died would die the death of one belonging to the pre-Islamic days of Jahilya (i.e. as an unbeliever)." ⁽¹⁾

The Messenger of Allah "peace be upon him" that he said: "If the pledge of allegiance is given to two caliphs, kill the later of them." ⁽²⁾

Allah said in this respect too: **{If two parties among the Believers fall into a quarrel, make you peace between them: but if one of them transgresses beyond bounds against the other, then fight you (all) against the one that transgresses until it complies with the Command of Allah; but if it complies, then make peace between them with justice, and be fair: for Allah loves those who are fair (and just).}** [Al-Hujurat 9]

(1) Al-Bukhari, Hadith no. 7053, 7054, 7143; Muslim, Hadith no. 1849; Ad-Darimi, 2519.

(2) It is narrated on the authority of Abu Sa'eed Al-Khudri. See Sahih Muslim, Hadith no. 1853; Al-Awsat of At-Tabarani, Hadith no. 2743; Shu'ab Al-Iman, Hadith no. 7353; Sunan Al-Baihaqi, Hadith no. 16324; Al-Mustadrak of Al-Hakim, Hadith no. 2665; Musnad Abu 'Awanah, 4:410; Sharh As-Sunnah, Al-Baghawi, 10:56.

But, on the other hand, this division may go back to a religious innovation, like the division of the Khawarij with their religious innovations, and Al-Mahdi Al-Maghribi who rebelled against the established community of this ummah, to support the truth, as he alleged, and made political and religious innovations, by which he abandoned the Sunnah, as has already been mentioned; and it is the same meaning given by the Hadith of the division and the related Quranic Verses. It also may go back to both reasons altogether.

As for the first, I do not know anyone advocating it, regardless of being possible in itself. But no one has ever said that the ummah has been divided because of a worldly benefit rather than a religious innovation. Furthermore, there is no proof to support that. No exclusion is understood from the statement of The Messenger of Allah "peace be upon him": "Whoever separated from the group of Muslims even to the extent of a span and then he died would die the death of one belonging to the pre-Islamic days (i.e. as an unbeliever)" ⁽¹⁾ nor from his other statement: "If the pledge of allegiance is given to two caliphs, kill the later of them." ⁽²⁾

The division from the group intended in the Hadith is debatable among the scholars as will be shown later. No one has ever said that the division opposed to the group is based on sins rather than religious innovations.

As for the division because of both, i.e. sins and religious innovations, it is possible. The division brought to mind may or may not be caused by a worldly benefit far from the religious innovations, i.e. sins and violations and no more. To this guides the explanation given by At-Tabari to the term 'group/established community', as will be shown later, Allah willing, and supported by the Hadith of At-Tirmithi in which The Messenger of Allah "peace be upon him" said: "My ummah will copy the same deeds of the children of Israel and follow them as closely as span by span and cubit by cubit, that if anyone of them had committed sexual intercourse with his mother publicly, there would be in my ummah such as will do so." ⁽³⁾ The end of following them, as shown in the Hadith, is a sin.

A mention may also be made of the other Hadith in which he "peace be upon him" said: "Verily, you will imitate the conventions of the previous nations very closely, span by span, and cubit by cubit to the extent that even if they entered into a hole of a lizard, you would follow them." ⁽⁴⁾ You may note here that the end is not a religious innovation.

(1) Al-Bukhari, Hadith no. 7053, 7054, 7143; Muslim, Hadith no. 1849; Ad-Darimi, 2519.

(2) It is narrated on the authority of Abu Sa'eed Al-Khudri. See Sahih Muslim, Hadith no. 1853; Al-Awsat of At-Tabarani, Hadith no. 2743; Shu'ab Al-Iman, Hadith no. 7353; Sunan Al-Baihaqi, Hadith no. 16324; Al-Mustadrak of Al-Hakim, Hadith no. 2665; Musnad Abu 'Awanah, 4:410; Sharh As-Sunnah, Al-Baghawi, 10:56.

(3) Sunan At-Tirmithi, Hadith no. 2641.

(4) Sahih Al-Bukhari, Hadith no. 7320; Ahmad in his Musnad, Hadith no. 11817, 11861; Al-Kabir of At-Tabari, Hadith no. 5943; Al-Mustadrak, Hadith no. 106, 445.

It is narrated by Al-Baghawi on the authority of Jabir "Allah be pleased with him" that The Messenger of Allah "peace be upon him" said to Ka'b Ibn 'Ujrah "Allah be pleased with him": "May Allah give you, O Ka'b, refuge from the foolish rulers!" he asked: "Who are the foolish rulers?" he said: "Rulers to come after me, who would neither be guided by my guidance, nor follow my Sunnah. Whoever gives trust to their falsehood, and aids them in their injustice, is not from me (i.e. not one of my followers), nor am I from him, nor will he come upon me at the Lake-Fount; and whoever neither gives trust to their falsehood, nor aids them in their wrongness, is from me and I am from him, and he will come upon me at the Lake-Fount..."⁽¹⁾

Whoever is not guided by his guidance, nor follows his Sunnah is either sinful or a religious innovator. But no one is unique to the expense of the other. Therefore, most scholars are of the opinion that the mentioned division of the ummah is caused by the religious innovation in Shari'ah in particular. With this meaning, the scholars construe the Hadith, including among the divided from this ummah no one of those who differed because of sins which are not religious innovations,.

The third question: from one perspective, those sects may be considered apostates

Those divided sects, from one perspective, may be considered apostates because of the innovations they made in religion.

They have abandoned the Muslims absolutely, simply because of their disbelief, since no middle rank could be imagined between both (belief and disbelief). This possibility is indicated by many things in the Qur'an and Sunnah. Allah Almighty says: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad SAW) have no concern in them in the least.}** [Al-An'am 159] according to the commentators, this Holy Verse was revealed in connection with the religious innovators, as clarified by their dividing the religion, which leads to apostasy. He further said: **{As for those whose faces turn black, [to them it will be said], "Did you disbelieve after your belief? Then taste the punishment for what you used to reject."}** [Al 'Imran 106] According to the scholars, it was revealed in connection with the religious innovators among the Muslims. Many are the Quranic Verses like this.

As far as the Hadith is concerned, a mention may be made of his saying "peace be upon him": "And do not return disbelievers after me, striking the necks of each other (i.e. killing each other)." ⁽²⁾

(1) Sharh As-Sunnah of Al-Baghawi, 8:7; Al-Mustadrak, Hadith no. 265, 6030, 7163, 8302; Al-Kabir of At-Tabari, Hadith no. 309, 318; Ahmad in his Musnad, Hadith no. 14481; Musnad 'Abd-Ar-Razzaq, Hadith no. 20719; Shu'ab Al-Iman, Hadith no. 9399; Kanz Al-'Ummal, Hadith no. 14412, 14863; Majma' Az-Zawa'id, Hadith no. 9253, 9254, 9263.

(2) Sahih Al-Bukhari, Hadith no. 1741, 4402, 4405, 6166, 6785, 6868, 6869, 7076-80; Sahih Muslim, Hadith no. 65, 66; Sunan An-Nasa'I, 3590-97, 5882; Sunan At-Tirmithi, Hadith

Al-Hasan explained this Hadith on the light of the statement of The Messenger of Allah “peace be upon him” previously mentioned: “Be prompt to do good deeds (before you would be occupied from them) by afflictions which would be as the parts of the dark night, During which, a man would be a Muslim in the morning and a disbeliever in the evening, or he would be a believer in the evening and a disbeliever in the morning, and would sell his faith for world benefits.”⁽¹⁾ In comment on that, he said: “That is, in the morning, he makes inviolable the blood and honor of his brother; and in the evening, he makes that lawful, and so.”

A mention may be made of the statement of The Prophet “peace be upon him” about the Khawarij: "Leave him, since he has companions (so hypocritical) that anyone of you will look down upon his prayer in comparison with theirs, and his fasting in comparison with theirs; yet they will recite the Qur'an, but it will not go beyond their collar-bones. They will desert Islam as an arrow goes through a victim's body, so that the hunter, on looking at the arrow's blade, at its strings, at its shaft, and at its feathers, would see nothing on it (neither meat nor blood), for the arrow has been too fast even for the blood and excretions to smear."⁽²⁾ Consider his expression with the excretions and blood, which indicate to their embracing Islam before being divided from it entirely.

According to the Hadith narrated on the authority of Abu Tharr "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said: “There will appear after me, from amongst my ummah, a people, who will recite the Qur'an, even though it will not go beyond their throats (since they will have no faith at all). They will desert the religion just in the same way as an arrow goes out through a game's body; and they will never return to it: they will be the worst of the creatures.”⁽³⁾

Many are the Hadiths like those, which point out a certain people from among this ummah. But the scholars use them to attest that all the men of inclinations are intended, just as they do with the Quranic Verses.

But even, it may be argued that the judgment of disbelief and belief goes back to the hereafter, and the analogy has nothing to do with it. In reply, let us say that we talk only about the worldly judgments, and whether or not they are rendered apostates. The matter in the hereafter is up only to Allah as shown in His saying: **{Verily, those who divide their religion and break up into**

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no. 2193; Ahmad in his Musnad, Hadith no. 2036, 3815, 19109, 19190, 19237, 19280, 20423, 20467, 20479, 20516; Sunan Abu Dawud, Hadith no. 4686; Sunan Ad-Darimi, Hadith no. 1921; Sunan Ibn Majah, Hadith no. 3943; Sunan Al-Baihaqi, Hadith no. 15626; Musannaf Abu Shaibah, Hadith no. 38428, 38442.

(1) Sahih Muslim, Hadith no. 118; At-Tirmithi, Hadith no. 2195, 2197, 2198; Ahmad in his Musnad, 2:523.

(2) It is narrated on the authority of Abu Sa'eed Al-Khudri: Al-Bukhari, Hadith no. 3610.

(3) See Ibn Majah, Hadith no. 170.

sects (all kinds of religious sects), you (O Muhammad) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.} [Al-An'am 159]

They also may not be renegades from Islam entirely, in so much as partially, i.e. from some of its ordinances and fundamentals. That is confirmed by all what has been mentioned before this chapter. So, there is no point to repeat it here.

There is a third assumption. Some of them may have become renegades from Islam, and their arguments are disbelief, and lead to explicit disbelief; and others may not have become renegades from Islam, and regardless of their grievous arguments and hideous tenets, they do not cause them to become evident disbelievers who change the religion.

The evidence here should be taken from each incident and religious innovation respectively. Some religious innovations are evident disbelief, such as to take idols as a means to draw them near to Allah; and some are not disbelief, such as the rejection of consensus and analogy, and so.

One of the later scholars explicated this issue in more detail, saying: "Such of religious innovations as goes back to the belief in a god besides Allah Almighty, or that a share of divinity is created in some people, the denial of the message of Muhammad "peace be upon him", making permissible what is unlawful, rejection of duties and obligations, and what was brought by The Messenger of Allah "peace be upon him", etc, it is not unlikely that the believer in those things may not be himself a disbeliever."

Being so, let us return to our talk about the Hadiths of difference. The authentic ones among them indicate only to the number of those sects. As for the narration in which he said: "...all of whom will be in the Hellfire, save only one", it pertains to the implementation of the threat, and that they will or will not abide in it forever remains unsettled. So, there is no evidence for our issue. The threat of fire may pertain to the sinful believers as well as the disbelievers in general, regardless of their difference as to who will and who will not abide in it forever.

The fourth question: all those arguments indicate that the sects intended in the Hadith are the religious innovators in the articles of faith in particular

all those arguments are based on the claim that the sects intended in the Hadith are the religious innovators in the principles and articles of faith in particular, like the Jabriyyah, Qadariyyah, Murji'ah, Mu'tazilah, and their likes. This issue is questionable. The reference made by the Qur'an and Hadith does not indicate to this specificity, as stated by At-Tartushi. if you consider Allah's saying: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings)}** [Al 'Imran 7], it does not determine whether they are the followers of what is imprecise in

the Qur'an or the religious innovators in the articles of faith. It includes both. It is arbitrary to make it specific then.

A mention may be made also of His statement: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad) have no concern in them in the least}** [Al-An'am 159] makes the division in the religion of which the belief is only a part. Similarly, He said: **{"And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path.}** [Al-An'am 153] the straight path is the Shari'ah in general.

Furthermore, in the same Surah, He highlighted the prohibition of what is slaughtered for deities other than Allah, (eating) the (flesh of the) dead, the blood, and the flesh of the swine, after which He said: **{Say: "Come, I will rehearse what Allah has (really) prohibited you from": join not anything as equal with Him; be good to your parents; kill not your children on a plea of want - We provide sustenance for you and for them - come not nigh to shameful deeds, whether open or secret; take not life, which Allah has made sacred, except by way of justice and law: thus does He command you, that you may learn wisdom. And come not nigh to the orphan's property, except to improve it, until he attains the age of full strength; give measure and weight with (full) justice; no burden do We place on any soul, but that which it can bear, whenever you speak, speak justly, even if a near relative is concerned; and fulfill the Covenant of Allah: thus does He command you, that you may remember.}** [Al-An'am 151] those include things of the articles of faith and others. He first forbade to ascribe partners to Him in worship, then enjoined dutifulness to the parents, then forbade to kill children, to commit immoralities, their apparent and hidden, to kill the soul with no just cause, to devour the property of the orphan, then commanded to give full measure and weight, to be just in word, and to fulfill the covenant of Allah Almighty.

Then, He concluded with His saying: **{"And verily, this is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path.}** [Al-An'am 153] He thus referred to the fundamentals and rules of Shari'ah, and did not make it specific to the beliefs, in indication to the fact that the Hadith is not unique to it in particular.

This meaning is confirmed by the Hadith of the Khawarij, whom he condemned after making a mention of their deeds, saying: "They will recite the Qur'an, but it will not go beyond their throats." He thus condemned them for abstention from meditation, and reliance only on the outward appearance of what is imprecise in the Qur'an, like this statement: "We blame the judgment of men in the religion of Allah, given that Allah Almighty says: **{The Command rests with no one but Allah: He declares the Truth, and He is the best of judges.}**" [Al-An'am 57]

He “peace be upon him” said in the same Hadith about the Khawarij: "They will kill the Muslims, and save the lives of the idolaters." Thus he condemned them for doing in opposition of Shari'ah, which enjoined the killing of disbelievers and saving the lives of the Muslims. Anyway, both behaviors are not specific to the beliefs.

It indicates that the matter is general rather than specific as shown in the narration of Na'eem Ibn Hammad: "My ummah will be divided into more than seventy sects, the most tempting of whom will be those who depend on their opinions in making analogies, thereby make lawful the unlawful, and unlawful the lawful."⁽¹⁾ That is a clear statement that this great number is not limited only to the innovators in the beliefs.

At-Tartushi attested the fact that the religious innovations are not specific only to the beliefs by what is reported from the Companions and their followers, of naming a religious innovation any word or deed that was opposed to Shari'ah, bringing many traditions to support his argument.

It is narrated by Malik on the authority of his paternal uncle Abu Suhail from his father that he said: "I do not recognize (and approve of) anything which I saw the people doing save the call to prayer (Athan)."⁽²⁾ By the people he meant the Companions "Allah be pleased with them" because he denied the greater part of the deeds of the men of his time, and saw them opposed to the deeds of the Companions.

It is also narrated that a man asked Abu Ad-Darda' "Allah be pleased with him": "May Allah have mercy upon you! Were The Messenger of Allah “peace be upon him” to be living among us now, would he disapprove of anything of our deeds?" he grew angry so much and said: "Would he recognize (and approve of) anything you are doing now?"

It is narrated by Al-Bukhari on the authority of Umm Ad-Darda'⁽³⁾ "Allah be pleased with her" that she said: Once, Abu Ad-Darda' entered upon me in a state of anger. I asked him: "What causes you to be angry O Abu Ad-Darda?" he said: "By Allah, I no longer recognize (and approve of) anything the people do now belonging to the matter (Islam) of Muhammad “peace be upon him” except that they all perform prayer."⁽⁴⁾

He presented a set of their statements in this respect, in reference to the fact that the opposition of the Sunnah in deed appeared at that time.

It is narrated on the authority of Mujahid that he said: I and 'Urwah Ibn Az-Zubair entered the mosque where Ibn 'Umar was sitting near 'A'ishah's

(1) Al-Mustadrak, Hadith no. 6325, 8325.

(2) Kitab Al-Bida', Ibn Waddah, p24.

(3) Siyar A'lam An-Nubala', 4:277; Tathkirat Al-Huffaz, 1:50; Tahthib At-Tahthib, 12:465.

(4) Sahih Al-Bukhari, Hadith no. 650.

chamber. There were some people offering the Duha prayer. We asked him about them. He said: "It is a religious innovation (i.e. that they offer it in congregation in the mosque rather than in their houses)." ⁽¹⁾

He further presented many things construed by the scholars to belong to the religious innovations in words. This means that the religious innovations are not specific only to the beliefs.

Nevertheless, a further point should be made here, and it represents the fifth issue.

The fifth question: those sects are regarded religious factions because they disagree with the saved one

Those sects are considered religious factions simply because they disagree with the saved one over a universal rule and a religious principle, rather than a partial or secondary issue, since no opposition results from the difference in the particles and branches, which could lead to division into sects and factions. The opposition springs from the difference in a universal rule, which includes a lot of particles and secondary issues under it. It is not specific to a category or a field rather than others.

Take consideration here by the reason-based appreciation and depreciation, the difference in which resulted in disputes among the opponents over endless branches and issue details concerning beliefs and deeds.

The same judgment of the universal rule applies to increasing the number of particles. The more the religious innovator invents particles and issue details, the more it would lead to opposition of many parts of Shari'ah, just as the (invented) universal rule becomes opposed to it, unlike the particle, in which a religious innovator may slip, given that the slip of a scholar is among the things that ruin the religion. 'Umar Ibn Al-Khattab "Allah be pleased with him" said: "Three ruin the religion: the slip of a scholar, the wrangling of a hypocrite with the Qur'an, and misleading Imams." ⁽²⁾ But the less the slip is effective, the less it would lead to opposition and division in the religion, unlike the universal rule and fundamental principle.

Of course, following what is imprecise in the Qur'an could affect the religion, should it be on the expense of what is precise and entirely clear thereof, i.e. the foundation of the Book. Similarly, the failure to understand the Qur'an affects its universals and particles.

However, many innovations in the branches have been proven for the disbelievers, even though in the essential necessities and their related fields. Out of what Allah has produced in abundance in tilth and in cattle, they assigned Him a share: they say, according to their fancies: "This is for Allah,

(1) Sahih Muslim, Hadith no. 1255.

(2) It is narrated by Ibn 'Abd Al-Barr in his Jami'. See Adwa' Al-Bayan, p310.

and this is for our 'partners'! But the share of their partners reaches not Allah, whilst the share of Allah reaches their partners! Evil (and unjust) is their assignment! They also prohibited Bahirah, Sa'ibah, Wasilah and Ham, killed their children out of foolishness without knowledge, abandoned justice in the legal retribution and inheritance, committed injustice in marriage and divorce, devoured the property of the orphans by way of trickery...to the end of those things highlighted by Shari'ah and mentioned by scholars, to the extent that legislation and changing the religion of Abraham "peace be upon him" became habitual to them.

The outcome was a fundamental rule to be added by them to the religion, i.e. the legislation based on following the inclination. Thus, Allah Almighty established the argument against them saying: **{Say: "Has He forbidden the two males or the two females, or (the young) which the wombs of the two females enclose? Inform me with knowledge if you are truthful."}** He enjoined knowledge upon them, which legislates only the truth, I mean the knowledge of Shari'ah and nothing else.

Then, He Almighty said to them: **{Or were you present when Allah ordered you such a thing?}** He evoked the fact that this was not ordained in the religion of Abraham "peace be upon him". Then, He resumed: **{Then who does more wrong than one who invents a lie against Allah, to lead mankind astray without knowledge. Certainly Allah guides not the wrongdoers."}** [Al-An'am 143-144]

It has been proven then that those sects were divided (from the established community) due to their difference in universal, rather than partial, rules; and Allah knows best.

The sixth question: could we say that those sects are disbelievers?

If we adopt the opinion of some that those sects are believers, or, according to others, some of them are disbelievers and some not, then, how should be regarded of the (Muslim) ummah? What seems apparent from the Hadith of the division is that they are, given their division from the established community, are of the (Muslim) ummah, otherwise, had they been considered apostates and disbelievers, they would not have been included in this ummah at all.

Their case is like the sects of the Jews and the Christians, who were divided even though they still belonged to Judaism and Christianity.

In reply to this question, two things are probable:

The first is that we take the apparent meaning of the Hadith, which gives the impression that those sects belong to the Muslim ummah and turn their faces towards the same Qiblah. Whoever makes them disbelievers should admit that they do not belong to the ummah, nor do they to the divided sects; and of course we mean those of them whose religious innovation does not

render them disbelievers. But if all of them are rendered disbelievers, then, it is not admitted that they are the same sects intended by the Hadith, putting in mind that in the Hadith of the Khawarij, there is no explicit statement that they are among the sects included under the Hadith of the division. Let us say that what is intended by the Hadith are those sects whose religious innovations do not render them apostates.

We also may not adopt the opinion of him who renders them all disbelievers, and rather investigate the question in detail similar to the one of the third claim, thereby, we could exclude those judged as disbelievers from the number of the divided sects.

The other probability is to regard them of the ummah in one point or another. Each sect claims that it sticks to Shari'ah, stands on the right course, follows its principles and laws, abides by its proofs and evidences, and acts upon what seems apparent from it. At the same time, it shows enmity to anyone accusing it of apostasy, and launches the charge of ignorance and lack of knowledge against anyone contradicting it, under the claim that it is on the straight path apart from others. In this way, they differ from the apostates, because if the apostate is ascribed to apostasy, he would disapprove of that, and would neither object to that, nor be displeased with it, nor take others as enemies because of such ascription. His case, in this respect, is just like the Jews and Christians, and the men of the other religions which oppose Islam.

Those sects, furthermore, claim agreement with the lawgiver, and well-establishment in following the Shari'ah of Muhammad the Messenger of Allah "peace be upon him". The enmity between them and the men of Sunnah arose from accusing each other of violation of the Sunnah. This is why they exaggerate the deeds and acts of worship.

The evidence for that is the Hadith of the Khawarij, putting the difference of the reality into consideration, in which The Messenger of Allah "peace be upon him" said: "You will look down upon your prayer in comparison with theirs, your fasting in comparison with theirs, and your deeds in comparison with theirs."⁽¹⁾ According to another narration: "From the offspring of my ummah, a people will come out, (and they will be so excessive in worship) that they will recite the Qur'an (so much laboriously that) you will regard your recitation of no significance compared with theirs, and your prayer insignificant compared with theirs."⁽²⁾ It indicates to the difficulty of persistence in acting upon it.

A mention also may be made of their claim: "How should the men judge,

(1) Sunan An-Nasa'i Al-Kubra, Hadith no. 8089; Ahmad in his Musnad, Hadith no. 11596; Al-Mu'jam Al-Kabir of At-Tabarani, 19:5; Musnad Abu Ya'li, Hadith no. 1233; Shu'ab Al-Iman, Hadith no. 2640.

(2) Sunan Abu Dawud, Hadith no. 4768; Musannaf of 'Abd-Ar-Razzaq, Hadith no. 18650.

concerning the religion of Allah, given that Allah Almighty says: **{The Command rests with no one but Allah: He declares the Truth, and He is the best of judges.}** [Al-An'am 57] They assume that by that evidence, it is not valid for men to judge.

The Messenger of Allah "peace be upon him" further said: "They will recite the Qur'an, thinking it to be for them, even though it is against them; and their prayer will not go beyond their collar-bones."⁽¹⁾

His statement "peace be upon him" "thinking it to be for them" is explicit about what we have said. They endeavor to act upon it by those deeds and acts of worship, in order to seem of its claimants, and make it an argument for them. But when they seek its interpretation, in quest for its hidden meanings, and deviate from the straight path, it turns to be against them rather than to be in their favor.

To this meaning refers the statement of Ibn Mas'ud "Allah be pleased with him": "You will find a people claiming that they invite to the Book of Allah, even though they will throw it behind their backs. Hold fast to knowledge, beware of religious innovations and hairsplitting laboriousness, and stick to the old tradition." His statement "claiming..." indicates to their being on Shari'ah, at least as they allege.

Other evidence is taken from the narration of Abu Hurairah "Allah be pleased with him" in which he said: The Messenger of Allah "peace be upon him" came to the graveyard and said: "Peace be upon you! The abode of the believing people, and we, Allah willing, are about to join you. Would that I could see my brothers!" They (the Companions) asked: "Are we not your brothers, O Messenger of Allah?" He said: "You are my Companions, and our brothers are those who have not yet come into the world." They asked: "O Messenger of Allah! How would you recognize those persons of your ummah who have not yet come?" He said: "Suppose that a man had horses with blazing foreheads and legs among horses which are all black, would he not be able to recognize his own horses?" They said: "He would recognize them O Messenger of Allah." He said: "They (our brothers) would come with bright faces, arms and legs because of the marks of ablution. I would be ahead of them at the Lake-Fount. Some people would be driven away from my Lake-fount as well as a stray camel is driven away. I would address them saying: "Come! Come!" Then it would be said (to me): "Indeed, they deviated after you." I would say: "Be off! Be off!"⁽²⁾

The evidence is taken from his statement: "Some people would be driven away from my Lake-fount as well as a stray camel is driven away. I would

(1) Sahih Muslim, Hadith no. 1066; As-Sunan Al-Kubra, An-Nasa'I, Hadith no. 8571; Al-Musannaf, 'Abd-Ar-Razzaq, Hadith no. 18650; Kanz Al-Ummal, Hadith no. 30959; Sharh As-Sunnah, Al-Baghawi, 10:230.

(2) Sahih Muslim, Hadith no. 249; Ahmad in his Musnad, Hadith no. 7980; Ibn Khuzaimah in his Sahih, 1:6; Sunan Al-Baihaqi, Hadith no. 392, 7001; Kanz Al-Ummal, Hadith no. 42560, 42592.

address them saying: "Come! Come!" this gives the impression that they belong to his ummah, and that he will recognize them. He clarified that they would be recognized by virtue of brightness in their foreheads, hands and legs. In other words, those who would change in the religion are characterized by the bright faces, hands and legs, an attribute characteristic only of this ummah. Were they to be judged as apostates, The Messenger of Allah "peace be upon him" would not recognize them by such brightness of faces, hands and legs, of which they will be deprived.

He "peace be upon him" further said in another Hadith: "Then, some people of you will be taken leftward, and I will say: "O Lord! My companions!" it will be said to me: "You do not know what they have changed (in the religion) after you." I will say the same as (Jesus) the righteous servant said: **{I was a witness over them whilst I dwelt amongst them; when you did take me up you was the Watcher over them, and You are a witness to all things. If You do punish them, they are Your servants: if You do forgive them, You are the Exalted in power, the Wise.}** [Al-Ma'idah 117-118] it will be said to me once again: "You do not know what they have changed (in the religion) after you. They have turned on their heels since you left them."⁽¹⁾

If the companions here stand for the ummah, the Hadith then is incompatible with the previous one: "You are my companions; and our brothers (in the religion) are those to come later after me." It is necessary to interpret it to mean that his companions are those who believed in him during his lifetime regardless of seeing him. Those who turned on their heels after his death stand for the men who became renegades or withheld Zakah after his death, under the claim that it was due only to The Messenger of Allah "peace be upon him" alone. However, the majority of his Companions who saw and learnt from him are free from that.

The seventh question: how to identify those sects

It is indeed a question, as put by At-Tartushi, where the people's reasons have been out of control. Many of the old and later scholars **identified** them, but in as much as they disagreed over the issues of belief. Some of these scholars divided them into eight principal sects: the Mu'tazilah⁽²⁾, the Shiites⁽³⁾,

(1) Ahmad in His Musnad, Hadith no. 2096; Musannaf Ibn Abu Shaibah, Hadith no. 35537.

(2) One of the Islamic sects that broke away and was isolated from the established community of Muslims, and relied on the reason, and placed it in the first rank, in application to the scholastic theology and philosophy. It goes back, in origin, to Wasil Ibn 'Ata', the Mu'tazili scholastic theologian, who was a disciple of Al-Hasan Al-Basri. When the Khawarij rendered disbelievers the perpetrators of the major sins, and the men of Sunnah rendered them only wicked, Wasil Ibn 'Ata' said: "They are neither believers nor disbelievers." On that Al-Hasan Al-Basri dismissed him. from that moment on, Wasil came to have supporters who segregated from the men of Sunnah and established community, and that is why they were called segregators (Mu'tazilah). They negated the power of act from Allah, and affirmed it to the creatures, and adopted the idea of the creation of the Holy Qur'an.

(3) Who became partisans, i.e. followed and took sides with 'Ali Ibn Abu Talib "Allah be pleased with him" and his household, so much that they were recognized for that in particular.

the Khawarij⁽¹⁾, the Murji'ah⁽²⁾, the Najariyyah⁽³⁾, the Jabriyyah⁽⁴⁾, the Mushabbihah⁽⁵⁾, and the Najiyah⁽⁶⁾. Each of those main sects has been divided into sub-sects belonging to a certain Imam or doctrine. The total is seventy-two, in addition to the saved one, which raises the number to seventy-three.

This division is given just in an attempt to make it compatible with the significance of the authentic Hadith. In general, there is no Shari'ah evidence that it is exactly those who are meant, nor is there a proof, under reason, that their number is limited to those, nor is there any evidence that the religious innovations are specific to those main eight sects.

According to other scholars, the religious innovations are four in principal, from whom all the seventy-two have originated: the Khawarij, the Rawaqid, the Qadariyyah and the Murji'ah.

Yusuf Ibn Asbat said: "Then, each of those four main sects have been divided into eighteen sub-sects, making a total of seventy-two; and the seventy-third one is the saved sect."

But this counting is similar to the previous one, and thus vulnerable to the same refutation.

In illustration of the matter, Shaykh Abu Bakr At-Tartushi "may Allah have mercy upon him" gave the following explanation: "It is not meant, by our scholars, that the origin of each religious innovation has been divided into those (eighteen) subsidiary religious innovations: that is quite impossible... what is meant is that each religious innovation to be regarded an error should go back, in principal, to one of those main sects, even though the subsidiary may not be a branch or a subdivision of the main: on the contrary, it may be

- (1) Who rebelled against 'Ali "Allah be pleased with him" at the time of arbitration, and rendered him a disbeliever. They were 12,000 who said: "Whoever holds himself the ruler and is just, whether or not from Quraish, he then is the Imam." They rendered 'Uthman "Allah be pleased with him" a disbeliever.
- (2) Who defer the acting on the intention, or say that no sin is harmful with the Imam. In this way, they suspend the hope (in mercy).
- (3) The companions of Muhammad Ibn Al-Husain An-Najjar. They agree with the men of Sunnah on the creation of acts, and the ability with the act, and the fact that the servant gains his act. At the same time, they agree with the Mu'tazilah on the negation of Divine attributes and speech.
- (4) In origin, it means to attribute the servant's act to Allah. The moderate among them, like Al-Asha'irah, affirm to the servant the ability to gain the act. The pure among them, like Al-Jahmiyyah, affirm nothing to him. according to them, the servant has no power, in origin, and Allah does not know the thing before it takes place. They agree with the Mu'tazilah on the denial of seeing Allah (in the hereafter), and the creation of speech, and the obligation of knowledge to the reason.
- (5) Who liken Allah to the creatures. Some of them are so much excessive and go as far as to say that Allah Almighty has a body, organs, blood, nerves and bones, exalted and hallowed be Allah from what they ascribe to Him.
- (6) The sect to be saved from the Hellfire, i.e. the established community of Sunnah, as confirmed by The Messenger of Allah "peace be upon him": "My ummah will be divided into seventy-three sects, only one of which will be in Paradise, and seventy-two in the Hellfire." It was said: "O Messenger of Allah! Who are they?" he said: "The established community."

quite independent from it."

He clarified the issue by an illustrative example: it is well-known that the fate is one of the main and principal religious innovations. Then, its men differed over some of its branches and details, as well as over issues that do not pertain to the fate, in origin. All of them agree on the fact that the acts of servants are created for them not by Allah Almighty. Then, they differed over one of the branches of the fate. The majority of them were of the opinion that there should be no act between two created acts, i.e. between the old and the new.

Then, they differed over issues that do not pertain to the fate, in principal, like their difference over what is righteous, and what is more righteous. According to those of Baghdad among them, it is due on Allah Almighty to do what is righteous for His servants concerning their religion; and it is due on Him to perfect the creatures He knew He would obligate with assignments, complete their mental faculties, mend their fates, and remove their defects.

But according to those of Basrah, it is not due on Allah Almighty to complete their mental faculties, nor to give them the means of obligation.

According to those of Baghdad, it is due on Allah Almighty to punish the sinful and disobedient among them unless they repent, since the forgiveness without repentance is an aspect of foolishness committed by the forgiver.

Of course, the opinion of those of Basrah is quite different in this issue.

Furthermore, Ja'far Ibn Bishr made an innovation which goes as follows: if one intends to marry a woman, and he jumps over her and has sexual relation with her, without a guardian, nor witnesses, nor a consent nor even a wedding contract, this would be made lawful for him. But his ancestors disagreed with him in this issue.

According to Thumamah Ibn Ashras, Allah Almighty will turn the disbelievers, atheists, the children of disbelievers and believers into dust on the Day of Judgment: He will neither punish nor call them to account.

In this way, each sect made subsidiary religious innovations, some pertinent and some not pertinent to its fundamental religious innovation.

If The Messenger of Allah "peace be upon him" intended, by the division of his ummah, the fundamental religious innovations which stand for the genres in relation with subgenres, and the knowledge lies with Allah Almighty, we would not have had this great number of sects. But the time passes, and the obligations are standing, and the religious innovations will continue to appear.

But if he intended, by the division, each religious innovation that was created in Islam, inconsistent with and unacceptable to the rules and principles of Islam, regardless of the division mentioned earlier, whether or not they are like subgenres springing from genres, that is really what was meant by The Messenger of Allah "peace be upon him", and the knowledge of that lies with Allah Almighty. There are more than seventy-two religious innovations like this.

On this measure, the excessive and radical religious innovators should be excluded from the consideration, as not regarded of this ummah, nor of the

men of Qiblah, i.e. not of the Muslims.

That is the opinion of At-Tartushi. It is good. But two points should be elicited from his speech in this respect:

The first is that he is of the opinion that the religious innovations may be independent from the main genres. Being so, if the religious innovation in his sight is given to every innovated word or deed, it will be problematic, because if we say that everyone makes a religious innovation, regardless of being trivial, could, along with his followers, form a sect, the number of sects then will not be limited to one or two hundred, not to mention their being seventy-two, given that the religious innovations, as he has mentioned, will continue to take place by the elapse of time until the establishment of the Day of Judgment.

There is in the tradition what reveals that meaning. It is narrated on the authority of Ibn ‘Abbas ⁽¹⁾ "Allah be pleased with them" that he said: "No year comes upon the people but that they make a religious innovation and cause to die an act of Sunnah, until (a time will come at which) the religious innovations will survive and the acts of Sunnah will die." ⁽²⁾

That is the reality. The religious innovations had been created in the past until the present time, and will continue to increase among the people in the future. Suppose that the religious innovations of deviation from the religion are eliminated, then, what remains after that will be more than seventy-two. So, I think his opinion in this respect is not right.

The other point is that it seems from his speech that these sects have not yet been identified, unlike the previous opinion. His saying, therefore, is more correct. There is no evidence for that identification, and it is not required by reason; and even if the evidence is available, identification, anyway, is not accepted at all for many reasons:

First: we have understood from Shari‘ah that it only describes them, and refers to their attributes, rather than **identifies** them, in order that the people should beware of them. The matter of **identifying** those included under the Hadith is deferred, except in rare cases, as mentioned by The Messenger of Allah "peace be upon him" about the Khawarij: "There will emerge from the offspring of this man a people who will recite Qur'an but it will not go beyond their throats (because they will not act on it). They will desert Islam as an arrow goes through a victim's body." But he "peace be upon him" did not tell that those would be the same included under the Hadith of the deviant sects.

Second: identification is not required because not to do it contributes to screen the defects of this ummah, just as their vices have been screened for them. They, more often, are not disgraced in this world. We have been commanded to screen the defaults of the believers as long as the dispute does not seem evident. Our state is unlike that of the children of Israel, about whom it is mentioned that whenever anyone of them committed a sin in the evening, then, the morning would not come upon him without a label of "sinful" being

(1) Al-Ma‘arif 123; At-Taqrīb, 1:425.

(2) Kitāb Al-Bida‘ by Ibn Waddāh 1:100].

written on the door of his house. Similarly, whenever they presented a sacrifice to Allah and it was accepted from anyone of them, a fire would descend from the heaven to consume it; and if it was rejected, the fire would not consume it. This was to put the sinful to settle screened for this ummah.

Therefore, further wisdom lies behind screening. Were the defects of this ummah to be shown publicly, it would intensify the division among its people, and deprive them of affinity and harmony enjoined by Allah and His Messenger. In confirmation of that, Allah Almighty said: **{and hold fast, all together, by the Rope which Allah (stretches out for you), and be not divided among yourselves.}** [Al 'Imran 103] He further said: **{so fear Allah, and keep straight the relations between yourselves: obey Allah and His Messenger, if you do believe.}** [Al-Anfal 1] He said too: **{Be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs: for them is a dreadful Penalty.}** [Al 'Imran 105]

The Messenger of Allah "peace be upon him" said in a Prophetic Hadith: "Do not envy each other, nor desert from each other, nor hate each other, and be, Allah's servants, brothers (in the religion of Allah)." ⁽¹⁾

The Messenger of Allah "peace be upon him" further commanded to mend the relationship between the people, and clarified that the bad relationship is the destructive which always ruins the religion. ⁽²⁾

Since to let them known publicly usually develops division and enmity among the people, it then should be forbidden, except it is a very hideous religious innovation, like that of the Khawarij, in which case, a mention should be made of it in order to be known (and avoided by the people). But as for anything else, it is preferable not to be made known publicly.

It is narrated by Abu Dawud on the authority of 'Amr Ibn Abu Qurrah that he said: Huthaifah was in Mada'in (the Persian capital), and he used to make a mention of things which the Messenger of Allah "peace be upon him" had said to some of his Companions while being in the state of anger; and some of those who heard that from Huthaifah went to Salman and made a mention to him of what Huthaifah said, thereupon he said: "Huthaifah has better knowledge of what he says." They returned to Huthaifah and said to him: "We made a mention of what you said (and attributed to the Prophet) to Salman, but he neither gave trust nor gave lie to you." Huthaifah went to Salman while he was in a land of grains, and said to him: "O Salman! What prevents you from giving trust to me pertaining to what I heard from the

(1) It is narrated on the authority of Abu Hurairah. See Sahih Al-Bukhari, Hadith no. 6064-66, 6076; Sahih Muslim, Hadith no. 2558, 2559, 2563, 2564; Sunan Ibn Majah, Hadith no. 3849; Sunan At-Tirmithi, Hadith no. 1935; Sunan Abu Dawud, Hadith no. 4910; Musnad Ahmad, Hadith no. 17, 7713, 7845, 7862, 8103, 8707, 9035, 9098, 9109, 9762, 10002, 10064, 10080, 10256, 12714, 13965; Al-Awsat, Hadith no. 7478; As-Saghir, Hadith no. 280, 1013; Sunan Al-Baihaqi, Hadith no. 13813, 14450, 16906, 20848; Shu'ab Al-Iman, Hadith no. 4783, 6603, 8986, 11151.

(2) It is narrated on the authority of Abu Ad-Darda'. See Al-Musnad Al-Jami', Hadith no. 11027; Sharh As-Sunnah, 12:259, 13:116.

Messenger of Allah "peace be upon him"?" he said: "The Messenger of Allah "peace be upon him" sometimes became in a state of anger, during which he said things to some of his Companions; and sometimes he was in a state of pleasure, during which he said things to some of his Companions. Should you not desist until you plant in the hearts of some men the love of others, and in the hearts of some the resentment towards others, and make the people fall into dispute and division? You know that the Messenger of Allah "peace be upon him" addressed the people saying: "Whomever of my ummah I abused or cursed while being in the state of anger, no doubt, I'm but a human being belonging to the offspring of Adam, who is vulnerable to anger as they are; and He Almighty has sent me as a (source of) mercy to all the worlds: so, (O Allah) make it a prayer (and blessing) upon them on the Day of Judgment." By Allah, either you should desist or I would send a letter to 'Umar."⁽¹⁾

Consider this religious understanding of Salman, and it is relevant to our topic. From this perspective, it is due upon anyone endowed with knowledge not to attribute those divisions to particular people, even though he knows their characteristics according to his Ijtihad, except on two occasions:

The first is where the Shari'ah identified them, as shown from the fact that the Khawarij are one of the sects included in the Hadith of division. Of course, this applies to anyone following their conduct. The nearest to them is the devotees of Al-Mahdi Al-Maghribi, who possess the two attributes The Messenger of Allah "peace be upon him" ascribed to the Khawarij: that is, to recite the Qur'an which does not go beyond their throats, and kill the Muslims and leave the idolaters. Those devotees took on themselves the recitation of the Qur'an, and taught the people how to recite it and then made innovations in it, but without understanding it, nor knowing its purposes. That is why they discarded and even tore to pieces the books of scholars, which they named the books of the opinionated people, given that it is the jurisprudents and religious scholars who clarified in their books the meanings of the Qur'an and the Prophetic Sunnah as it should be. Furthermore, they killed the Muslims under invalid interpretation, claiming they embody the attributes of Allah, and are not monotheists, and rather did not devote themselves to fighting the infidels, from among the Christians and those adjacent to them.

It is reported that they rebelled against 'Ali Ibn Abu Talib "Allah be pleased with him" and those who succeeded him, such as 'Umar Ibn 'Abd-Al-'Aziz "may Allah have mercy upon him". in this connection, It is narrated by Al-Baghawi in his Mu'jam on the authority of Humaid Ibn Hilal that 'Ubadah Ibn Qurt took part in a conquest and stayed in it as long as Allah wished him to stay, before he returned with the Muslims. He went to perform the prayer, and behold! Al-Azariqah (a group belonging to the Khawarij) met him and said to him: "What has brought you O enemy of Allah?" he asked them: "Who are

(1) Sunan Abu Dawud, Hadith no. 4659.

you O my brothers?" they said: "You are the brother of the devil. We would kill you." He said to them: "Then, would you not accept from me the same as The Messenger of Allah "peace be upon him" had accepted from me?" they said: "What did he "peace be upon him" accept from you?" he said: "I came to him while I was a disbeliever; and when I testified that there is no one worthy of worship except Allah, and that he is the Messenger of Allah, he left me." But even, they seized and killed him."⁽¹⁾

As for their failure to understand the Qur'an, it has been clarified in detail. Anyway, it is narrated by Abu Dawud on the authority of Ibn 'Umar "Allah be pleased with them" that he said: The Messenger of Allah "peace be upon him" said: "Al-Qadariyyah (Anti-Fatalists) are (as infidels as) the Magians among (the people of) this ummah: so, if they fall ill, do not visit them, and if they die, do not attend their funeral processions."⁽²⁾

It is narrated on the authority of Huthaifah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "For every nation, there are (such infidels as) Magians, and the Magians of this (Muslim) nation are those who deny the preordained fate. So, whoever of them dies, do not attend his funeral procession, and whoever of them falls ill, do not visit him. They are further the devotees of Ad-Dajjal, and it is incumbent upon Allah to join them to Ad-Dajjal."⁽³⁾

However, this Hadith is not authentic in the sight of the Hadith transmitters. According to the author of Al-Mughni: "No Hadith is authentic in this respect."

It is true that the statement of Ibn 'Umar "Allah be pleased with them" to Yahya Ibn Ya'mur when the latter told him that the talk about fate has emerged among the people: "Tell them, once you meet them, that I have nothing to do with them, and they have nothing to do with me", and then attested his statement with the Hadith of Gabriel "peace be upon him" is authentic, without doubt.

It is narrated by Abu Dawud too on the authority of Abu Hurairah from 'Umar Ibn Al-Khattab "Allah be pleased with them" that the Messenger of Allah "peace be upon him" said: "Do not sit with the Anti-Fatalists, nor appeal to them for judgment (or nor start arguing them about the fate)."⁽⁴⁾ Therefore,

(1) Al-Awsat, Hadith no. 8559; Majma' Az-Zawa'id, Hadith no. 56; Al-Ahadith Al-Mukhtarah, Hadith no. 456.

(2) (The anti-fatalists intended here are those who have the false impression that since there are both good and evil, it is the creation of only good that is ascribed to Allah Almighty, and the evil is not created by Him; and in this point, they are similar to the Magians, who refer all things in the world to two main primal origins, i.e. the light and the darkness, and they ascribe good to the light, and evil to the darkness. But, it goes without saying that the Only and Primal Creator of all things, of both good and evil, is Allah Alone and none could share Him in that respect). See Sunan Abu Dawud, Hadith no. 4691.

(3) Sunan Abu Dawud, Hadith no. 4692.

(4) Sunan Abu Dawud, Hadith no. 4710.

it is also rendered inauthentic according to many scholars.

It is narrated by Ibn Wahb on the authority of Zaid Ibn 'Ali that he said: The Messenger of Allah "peace be upon him" said: "Two classes of my ummah will have no share in Islam on the Day of Judgment: Al-Qadariyyah (Anti-Fatalists) and the Murji'ah (advocates of entering Paradise even without doing deeds)."⁽¹⁾

It is narrated on the authority of Mu'ath Ibn Jabal "Allah be pleased with him" and others, elevating it to The Prophet "peace be upon him" that he said: "Al-Qadariyyah and Al-Murji'ah were cursed on the tongue of seventy Prophets, the last of whom is Muhammad "peace be upon him"."⁽²⁾

It is narrated on the authority of Mujahid Ibn Jubair from The Messenger of Allah "peace be upon him" that he said: "From among my ummah, there will be Anti-Fatalists and atheists; and those will be (as infidels as) the Magians among this ummah."

It is narrated on the authority of Nafi' that he said: While we were in the house of 'Abdullah Ibn 'Umar "Allah be pleased with them" to visit him and inquire about his health, a man came to him and said: "So and so, in reference to a man from the inhabitants of Sham, greets you." 'Abdullah said: "I have received the news that he had made a change (in the religion). If he has done so, then, do not greet him on my behalf. No doubt, I heard The Messenger of Allah "peace be upon him" having said: "There will be earth-slide and human transformation in my ummah, and this will take place among the atheists."⁽³⁾

It is narrated on the authority of Ibn Ad-Dailami⁽⁴⁾ that he said: I fell into confusion about what is (said) pertaining to this (rejection of) preordained Fate, and I felt afraid this (suspicion) would spoil my faith. I went to Ubai Ibn Ka'b "Allah be pleased with him" and said to him: "O Abu Al-Munthir! I fell into confusion about what is (said) pertaining to this (rejection of) preordained Fate; and I felt afraid this might have a negative effect on my faith. So, relate to me a narration in this respect, perchance Allah would make it a source of benefit to me." On that, he said: "If Allah Almighty punished all the inhabitants of both His heavens and earth, He, indeed, would (have claim to do so, which they deserve, and thus He would) not be unjust to them (even in the least); and if He bestowed His Mercy upon them, this would be much better for them than their deeds. Therefore, if you have as much gold as (is equal to the mountain of) Uhud, (or as much money as is equal to the mountain of Uhud) to spend in the Cause of Allah, it would not be accepted from you until you have faith in the preordained Fate (resulting from the

(1) Al-Mu'jam Al-Kabir, At-Tabarani, Hadith no. 11682; Kanz Al-'Ummal, Hadith no. 641-643.

(2) Al-Awsat of At-Tabari, Hadith no. 7162; Kanz Al-'Ummal, Hadith no. 563, 635-639.

(3) Sharh As-Sunnah, Al-Baghawi, 1:151.

(4) Ash-Shatharat, 1:59; At-Taqrīb, 1:440.

Divine Decree), and you become certainly sure of the fact that what befalls you is not to fail to befall you; and what fails to befall you is not to befall you; and that if you die while believing in something else, you would be admitted to the fire (of Hell)." When I went to 'Abdullah Ibn Mas'ud "Allah be pleased with him" and asked him about that, he mentioned to me the same as Ubai had said. I went to Huthaifah Ibn Al-Yaman "Allah be pleased with him" and asked him, and he said to me the same. I went to Zaid Ibn Thabit "Allah be pleased with him" and asked him, thereupon he related to me the same from the Messenger of Allah "peace be upon him".⁽¹⁾

It is also narrated in a Prophetic Hadith: "Do not speak about the fate, since it is one of the secrets of Allah (and it is due on you not to divulge the secret of Allah)."⁽²⁾ All those narrations are authentic.

Concerning both Jahmiyyah and Murji'ah, some inauthentic narrations are transmitted from The Messenger of Allah "peace be upon him". so, we should not rely on that.

Therefore, according to some commentators, the following Holy statement was revealed in connection with the Anti-Fatalists: **{The Day they will be dragged through the Fire on their faces, (they will hear:) "Taste you the touch of Saqar (a name given to Hell)!" Verily, all things have We created with predestination.}** [Al-Qamar 48-49]

It is narrated by 'Abd Ibn Humaid on the authority of Abu Hurairah "Allah be pleased with him" that the pagans of Quraish came to argue with The Messenger of Allah "peace be upon him" about the fate, and then the following verse was revealed: **{The Day they will be dragged through the Fire on their faces, (they will hear:) "Taste you the touch of Saqar (a name given to Hell)!" Verily, all things have We created with predestination.}** [Al-Qamar 48-49]

It is narrated on the authority of Mujahid that it was revealed in connection with the beliers of the fate. If it is supposedly authentic, there is evidence in it, otherwise, the Holy Verse does not refer to identifying them among the deviant sects.

The other occasion is where such a deviant sect invites to error, and makes it alluring to the hearts of the laymen and ignorant. Those are as harmful to mankind as Iblis; and they belong to the devils of men. So, it is due (upon the scholars) to state explicitly that they are among the inventors of religious innovations and errors, and ascribe them to the deviant sects if there are witnesses to that, as is known about 'Amr Ibn 'Ubaid⁽³⁾ and others.

(1) Sunan Abu Dawud, Hadith no. 4699; Al-Mu'jam Al-Kabir, Hadith no. 4940; Sunan Al-Baihaqi, Hadith no. 20663; Shu'ab Al-Iman, Hadith no. 182.

(2) It is narrated on the authority of Ibn 'Umar. See Kanz Al-'Ummal, Hadith no. 621.

(3) Shatharat Ath-Thahab, 1:210; At-Taqrīb, 2:74.

It is narrated on the authority of 'Asim Al-Ahwal⁽¹⁾ that he said: I was sitting with Qatadah⁽²⁾ "may Allah have mercy upon him" when a mention was made to him of 'Amr Ibn 'Ubaid, thereupon he went on insulting and abusing him. I said: "O Abu Al-Khattab! What is the matter that I see the scholars insulting each other?" he said: "O Ahwal! Do you not know that if a man made a religious innovation, it should be made known, in order that the people should avoid it?" I returned from Qatadah, grief-stricken for what I had heard from him about 'Amr Ibn 'Ubaid, in return for what I saw of his worship and guidance. I lay my head (on the cushion) at the middle of the night (to get my siesta) and behold! I saw 'Amr Ibn 'Ubaid in a dream, with the Mus'haf in his lap and he was erasing one of the Holy Verses of Allah's Book. I wondered: "Exalted be Allah! Are you erasing one of the Holy Verses of Allah's Book?" he said: "I will restore it once again." I left him until he erased it and then I said to him: "Restore it." He said: "I could not do."

Such men should be made known and slandered before the people, for the harm to return upon the Muslims from them is graver than the harm to be caused by slandering them, even if it is feared that identification would lead to division and enmity.

No doubt, the division between the Muslims and the religious innovators alone, when the argument is established against them, is easier and less severe than the division between the Muslims and the religious innovators along with their devotees and fans. If both harms conflict, then, the easier could be committed in avoidance of the more difficult, and the partial evil is easier than the entire evil. to be sure, cutting off the eroded hand is easier than damaging the whole body (when left). That is the way of Shari'ah: to consider the easier in avoidance of the more difficult.

If both occasions are missing, they should not be identified nor mentioned, since identifying them would sow the first seed of evil and develop hatred and enmity among the Muslims. If anyone of them commits a religious innovation, he should be reminded kindly, and shown that he is not deviating from the Sunnah in so much as opposing the Shari'ah evidence, and that the right which agrees with the Sunnah is the opposite of his deed. If this is done without fanaticism, that will be indeed good.

In this way, the people were invited, at first, to Allah Almighty, until when they proved obstinate, and showed opposition and division, they were dealt with according to their conduct.

According to Al-Ghazali in one of his books: "Most aspects of ignorance became deep-rooted in the hearts of the laymen by the fanaticism of some ignorant of the truth, who showed the truth in the context of challenge and humiliation, and disregarded with contempt the weak opponents, which

(1) Shatharat Ath-Thahab, 1:210; At-Taqrīb, 1:384.

(2) Ash-Shatharat, 1:153; At-Taqrīb, 2:123.

stimulated in them the motives of obstinacy and opposition, and the false beliefs became deep-rooted in their hearts so much that it was difficult upon the subtle scholars to remove them, even though their evil was clear. However, the fanaticism led some among them to believe that the letters they uttered immediately after their silence along their entire lifetime were old. Had it not been for the fact that Satan possesses the heart, by means of obstinacy and fanaticism for inclinations, this belief would have made no discrimination, in this respect, between a mad and a sane."

What he said is indeed the truth which is confirmed by the normal habits. So, it is due to appease the exasperation as possible as it could be; and Allah knows best.

The eighth question: since they are not identified, then, they should have characteristics and signs by which they are known

Those are divided into two kinds: general and detailed.

The general undetermined signs are three:

The first is the division highlighted by the statement of Allah Almighty: **{Be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs: for them is a dreadful Penalty.}** [Al 'Imran 105] He further said: **{so We estranged them, with enmity and hatred between the one and the other, to the Day of Judgment. And soon will Allah show them what it is they have done.}** [Al-Ma'idah 14] That is, the wrangling and disputations in the religion, according to the narration of Ibn Wahb on the authority of Ibrahim An-Nakh'i. He said too: **{And hold fast, all together, by the Rope which Allah (stretches out for you), and be not divided among yourselves.}** [Al 'Imran 103]

The Messenger of Allah "peace be upon him" said in a Prophet Hadith: "No doubt, Allah Almighty approves for you three and disapproves for you another (opposite) three. He approves for you to worship Him and not associate any partner with him (in worship), to hold fast, all together, to the rope of Allah (and do not be divided), and to be sincere (in submission) to him whom Allah appoints as your ruler. Furthermore, He disapproves for you to engage in useless talk, to waste your property (foolishly), and to raise so many questions (in the religion without any necessity)." ⁽¹⁾

It is this division, as we have already mentioned, which turns the one sect into many, and divide the one party into many. They have become sects, as put by a scholar, because they have followed their inclinations.

Because of leaving their religion, they were dispersed by their inclinations, as confirmed by Allah Almighty: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects), you (O Muhammad**

(1) It is narrated on the authority of Abu Hurairah. See Sahih Muslim, Hadith no. 593, 1715; it is also narrated by Malik in Al-Muwatta', Hadith no. 612; Ahmad in his Musnad, Hadith no. 8116, 8703, 8785.

SAW) have no concern in them in the least. Their affair is only with Allah, Who then will tell them what they used to do.} [Al-An'am 159] Those are the religious innovators and men of errors, who speak in things unpermitted by Allah and His Messenger "peace be upon him".

Although the Companions of The Messenger of Allah "peace be upon him" differed, after him, over the judgments and rulings of religion, they neither were divided, nor turned into sects and parties. That is because they did not leave the religion. They differed only over the issues in which they were permitted to practice Ijtihad, show their opinions and deduce from the Book and the Sunnah, in the matters not addressed by text.

They only differed in opinion, because of which they were praiseworthy, for they practiced Ijtihad only in what they were commanded to do, like the difference of opinion between Abu Bakr, 'Umar, 'Ali and Zaid "Allah be pleased with them" over the inheritance of the grandmother with the mother; the different opinions of 'Umar and 'Ali about the slave-girls who become mothers of children from their masters (thereby they are emancipated); their difference over the joined obligation; their difference over divorce before consummating marriage; their difference over the transactions; to the end of those things. At the same time, they had mutual affection for each other, were sincere in advice to each other, and brothers in the religion of Islam. But when the destructive inclinations of which The Messenger of Allah "peace be upon him" warned emerged, and the enmities and hatred appeared among the people, they, consequently, turned into parties, which indicated that the reason lying behind that was the new issues which Satan revealed on the tongues of his devotees.

Any issue that occurred in Islam over which the people differed, and their difference did not develop hatred, enmity or division among the people, we then learn that it is one of the issues of Islam; and any issue that occurred, the difference over which developed enmity, hatred, mutual desertion and severance, we learn that it is not one of the affairs of the religion, and rather intended by The Messenger of Allah "peace be upon him" in the explanation of the Quranic Holy Verse. It is narrated on the authority of 'A'ishah "may Allah be pleased with her", that she said: The Messenger of Allah "peace be upon him" said to me: "O 'A'ishah! As for the statement of Allah: **{Verily, those who divide their religion and break up into sects (all kinds of religious sects)}** [Al-An'am 159] Do you know who they are?" I said: "Allah and His Messenger know best." On that he said: "They are the men of inclinations, religious innovations and errors from among this (Muslim) ummah. O 'A'ishah! (Allah accepts) the repentance from every sin save the sinners from among the men of inclinations and religious innovations, whose repentance is not accepted: I have nothing to do with them, and they have

nothing to do with me." ⁽¹⁾

So, it is incumbent upon every rational and religious person to avoid that, as confirmed by Allah's saying: **{and remember with gratitude Allah's favour on you; for you were enemies and He joined your hearts in love, so that by His Grace, you became brethren; and you were on the brink of the Pit of Fire, and He saved you from it. Thus does Allah make His Signs clear to you: that you may be guided.}** [Al 'Imran 103]

That is his opinion, which clarifies that Islam calls for affinity, showing sympathy, love and mercy towards each other. Every opinion leads to the opposite of that is outside the religion. This characteristic is well indicated in the Hadith in issue, and exists in every deviant sect included in it.

Do you not see how it was evident in the Khawarij as told by The Messenger of Allah "peace be upon him" in his statement: "They will kill the Muslims and leave the idolaters"? Which division is equal to the division between Muslims and disbelief? It is characteristic of every known sect. but those sects, in the end, do not lead to the same division.

The second characteristic is that highlighted by Allah Almighty in His statement: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation (the hidden meanings), but no one knows its hidden meanings save Allah.}** [Al 'Imran 7]

It clarifies that the men of deviation (who swerve from the truth) always follow that in the Qur'an which is imprecise and not entirely clear, rather than what is precise and entirely clear thereof. The imprecise is that which seems abstruse in meaning, and unclear in significance, be it of the real imprecise, i.e. the undetermined words and allegorical speech, or the additional imprecise, whose real meaning needs an external evidence, even though its apparent meaning seems evident at the first glance.

A mention may be made of the Khawarij's attestation on the nullification of arbitration by Allah's saying: **{The Command rests with no one but Allah: He declares the Truth, and He is the best of judges.}** [Al-An'am 57] It is true that the undetermined apparent meaning of the Holy Verse seems authentic, but in detail, it needs clarification; and it is that which was mentioned to them by Ibn 'Abbas "Allah be pleased with them", who clarified that the command rests with Allah without arbitration, and, that He enjoins arbitration upon us means that the judgment according to it is the judgment of Allah Almighty.

A mention also may be made of their claim: "He ('Ali) fought, and neither

(1) It is narrated on the authority of 'Umar Ibn Al-Khattab: At-Tirmithi in his sunan; Ibn Mardawaih; Abu Na'eem in Al-Hilyah; Abu Ash-Shaikh; Ibn Abu Hatim; At-Tabarani; and Al-Baihaqi in Shu'ab Al-Iman [Ad-Durr Al-Manthur 3:402]; see also Tafsir Ibn Kathir, 2:187.

took captives, nor got war booty." They mentioned two classes, and forgot the third one clarified by Allah Almighty in His saying: **{If two parties among the Believers fall into a quarrel, make you peace between them: but if one of them transgresses beyond bounds against the other, then fight you (all) against the one that transgresses until it complies with the Command of Allah; but if it complies, then make peace between them with justice, and be fair: for Allah loves those who are fair (and just).}** [Al-Hujurat 9] That is fight without taking captives. But Ibn 'Abbas "Allah be pleased with them" brought to their mind a more evident point: that is, in case of taking captives, the Mother of Believers (A'ishah) "Allah be pleased with her" would have been taken as captive, and would have been subject to the same ruling of captives, in terms of been utilized by her capturer as any female-captive; and by so doing, they would oppose the Qur'an which they called to stick to.

The same is true of depriving his name of the title 'the Commander of Believers', which required, in their sight, that he should be the commander of the disbelievers. But even, that is not valid, because negating the name does not mean to negate the nominee, and even if it was supposed to negate the nominee, it does not require to affirm his leadership. That is how Ibn 'Abbas "Allah be pleased with them" opposed them, by the Prophet's erasing his title 'the Messenger of Allah' from the treaty document, which they had no power to refute. For this reason, about two thousand of them retracted.

Reflect the way they followed the imprecise in the Qur'an, and how it led to error and deviation from the established community. It is within this connection that the Messenger of Allah "peace be upon him" said: "If you see those who follow such of Holy Verses as whose meaning is unclear, then you should know that it is those whom Allah Almighty referred to in the Qur'an. So, beware of them."⁽¹⁾

The third characteristic: to follow the inclination

It is that characteristic highlighted by Allah Almighty in His statement: **{So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking discord, and seeking its interpretation.}** [Al 'Imran 7] The deviation is to swerve from the truth, by way of following the inclination. The same is confirmed by Allah's saying in another location: **{and who is more astray than one who follows his own lusts, devoid of guidance from Allah? For Allah guides not people given to wrongdoing.}** [Al-Qasas 50] He Almighty further said: **{Then see you such a one as takes as his god his own vain desire? Allah has, knowing (him as such), left him astray, and sealed his hearing and his heart (and understanding), and put a cover on his sight: Who, then, will guide him after Allah (has withdrawn guidance)? Will you not then receive admonition?}** [Al-Jathiyah 23]

(1) It is narrated by At-Tirmithi, Hadith no. 2993.

Nevertheless, the Hadith of the division does not indicate to this as well as to the previous characteristic. Anyway, both go back to everyone within himself. Following the inclination is an internal attribute which no one knows but the follower himself, unless he is overpowered by it, and there is an external evidence to confirm it.

We have already mentioned that the reason lying behind the emergence of sects is the ignorance of the items and acts of Sunnah. It is pointed out in the Hadith by his statement: "And the people would take ignorant men as their chiefs." Everyone knows, within himself, whether or not he has attained in knowledge the degree of giving fatwa; and knows for certain, when asked about anything, whether or not he answers depending upon clear or suspicious knowledge.

If a scholar is not authorized by the witness of learned scholars, he should remain on the origin ruling of being not knowing until his knowledge is confirmed by reliable scholars, otherwise, he is always certain or suspicious about his ignorance or knowledge. So, anyone dares to do anything in those two cases, follows the inclination. That is because he should have consulted others about himself, and he did not do; and the same is true of everyone not allowed to present himself before he is presented by others, and does not do accordingly.

According to the rational, the opinion of the advisor is more beneficial, for he is free from inclination, unlike the one who is not consulted, who is not free, esp. when the matter pertains to taking such high offices as Shari'ah and knowledge ranks.

This is a pattern to evoke the inclined to his inclination, and present to him a criterion thereby to know, when issuing fatwa to the people, whether he follows the inclination or the Shari'ah.

As for the second characteristic, it goes back to the scholars firmly established in knowledge, with whom rests the knowledge of what is precise and what is imprecise in the Qur'an, as well as the men of each respectively. It is those to whom it is referred to know who among men follows the precise and thus imitates in the religion, and who among them follows the imprecise and thus does not imitate at all.

But, at the same time, these have an evident sign referred to by the Hadith that explains the Quranic Verse, in which he "peace be upon him" said: "So, if you see those who wrangle in it (the Book of Allah), then, beware of them, because it is those whom Allah meant." This Hadith is reported by Al-Qadi Isma'eel Ibn Ishaq, as has previously been mentioned in the beginning of this book.

It is characteristic then of those who follow the imprecise in the Qur'an to wrangle in it, and dispute over faith, because the deviant who follows the suspicious evidence remains in doubt, as the unclear never gives a satisfactory clarification, nor do its followers conclude to an evident truth on the basis of

it. It is only the following of inclination which forces him to stick to it. In this way, he differs from the one endued with and firmly established in knowledge, who argues only when he lacks to remove a transitory problem, which is removed very soon once the truth seems clear to him. he is unlike the deviant whose inclination never lets leave the wrangling and argumentation, in quest for its interpretation.

The evidence for it is that the Quranic Verse was revealed in connection with the Christians of Najran, who came to debate with The Messenger of Allah “peace be upon him” over Jesus, son of Mary “peace be upon him” claiming that he is God, and the third in a trinity, and attesting their argument with some imprecise points of his saying 'We have done and created' according to some men, or with the fact that he used to cure the leper and blind, and give life to the dead, according to another group. They did not reflect on his origin and birth and how he was after he had been nothing, and how he resembles all sons of Adam as regards eating, drinking, and being vulnerable to diseases and ailments. The story in detail is mentioned in the books of the Prophetic biography.

In sum, they came to debate with The Messenger of Allah “peace be upon him” but not with the intention to follow the truth; and the argumentation in this sense would never cease. For this reason, when the truth was made clear to them and they did not retract, they were called for something else, because of which they feared destruction, and thus stopped from argumentation, i.e. Mubalah (mutual invocation of curse upon the liar) as mentioned in Allah's statement: **{If anyone disputes in this matter with you, now after (full) knowledge has come to you, say: "Come! let us gather together - our sons and your sons, our women and your women, ourselves and yourselves - then let us earnestly pray, and invoke the curse of Allah on those who lie!"}** [Al ‘Imran 61] this wrangling always occupies one from prayer and remembrance of Allah Almighty, the same as playing with dice, chess, and their like.

If you see anyone in the habit of argumentation in all matters with anyone of the learned scholars, and abstention from retraction to the truth, you should know that his heart is deviant, and that he follows the imprecise. So, you should beware of him.

As for the first characteristic, it is shared by all the rational among the Muslims. Connection and severance are known among the people. It is highlighted by the Hadith of division, which referred to the fact that this ummah would be divided into sects and parties. It has signs indicative of it.

The first is shown from the opening of the speech, as the opponent always starts his argument with condemnation of the early men recognized for their knowledge, righteousness and piety, whom the people follow, and, in return, praises those recognized for opposition of them.

This sign, in origin, returns to the Khawarij in rendering disbelievers the Companions "Allah be pleased with them". They dispraised those unanimously praised by Allah and His Messenger "peace be upon him" and the righteous predecessors, and praised those unanimously dispraised by the righteous predecessors, like 'Abd-Ar-Rahman Ibn Miljam, the murderer of 'Ali "Allah be pleased with him", whom they gave the right to kill him, and claimed that in his connection it was revealed: **{And there is the type of man who gives his life to earn the pleasure of Allah; and Allah is full of kindness to (His) devotees.}** [Al-Baqarah 207] They also claimed that the Quranic Verse prior to it was revealed in connection with 'Ali Ibn Abu Talib "Allah be pleased with him". I mean Allah's saying: **{There is the type of man whose speech about this world's life may dazzle you, and he calls Allah to witness about what is in his heart; yet is he the most contentious of enemies.}** [Al-Baqarah 204] They have told a lie, may Allah curse them! If you see men like this, you should know that they are among the deviant sects; and success lies with Allah Almighty.

As for the detailed signs, they are pointed out and highlighted by the Qur'an and Sunnah. Had it not been for our understanding from Shari'ah that screening them is preferable, we would have engaged ourselves in discussing them in thorough detail.

You see that the Hadith we have explained does not identify, in its authentic narration, anyone of those sects, and Allah knows best, in so much as refers to them in general, in order that the people should beware of them. But in one of those narrations, the sect needed among them is identified, i.e. the saved sect, in order to be sought by the person competent for religious assignments. In a third narration, a mention is made of one of those ruined sects, because it is the most harmful on, and the most tempting to the ummah from among them all, as will be clarified later, Allah willing.

The ninth question: accommodation between the different narrations of the Hadith of the various sects

The authentic narration of that Hadith is reported by Abu Dawud, i.e. that the Jews, like the Christians, were divided into seventy-one, or seventy-two sects, the narrator is in doubt.

The strange narration of At-Tirmithi affirms seventy-two to the children of Israel, for there is no mention in it of the division of the Christians.

It is narrated on the authority of 'Abdullah Ibn 'Umar "Allah be pleased with them" that he said: The Messenger of Allah "peace be upon him" said: "My ummah will copy the same deeds of the children of Israel and follow them as closely as span by span and cubit by cubit, that if anyone of them had committed sexual intercourse with his mother publicly, there would be in my ummah such as will do so. Therefore, the children of Israel were divided into

seventy-two sects, and my ummah would be divided into seventy-three sects..."⁽¹⁾

In another narration by Abu Dawud, both the Jews and Christians were divided into seventy-two sects, without doubt.

It is narrated by At-Tabari and others that the children of Israel were divided into seventy-one sects, and this (Muslim) ummah would be divided into seventy-two sects, all of which would be in Hell, and only one would be saved.

On the basis of the narration of the seventy-one, this (Muslim) ummah would have two further sects, and only one further sect if the narration of the seventy-two is considered. In some narrations, the Jews were divided into seventy-one sects, the Christians into seventy-two sects, and he (Muslim) ummah would be divided into seventy-three sects.

If we base on accommodating the different narrations, it may be said that the narration of the seventy-one was mentioned at the time he was informed about that, and later, he was informed about the further sect, which was probably included in them and The Messenger of Allah "peace be upon him" did not know about it before he was informed about it later. It may also be that both religions had the same number of divided sects, of which he was informed, and then he was informed about the seventy-second; and Allah knows best.

The tenth question: the saved sect in this ummah and others

It is clear then that this (Muslim) ummah has one sect more than these of both the Jews and the Christians, which will be in Paradise, versus the seventy-two threatened to enter the Hellfire. On the basis of that division, this ummah then has been divided into main two: one in the Hellfire, and the other in Paradise. But this is not clarified in the sects of both the Jews and Christians. The question to arise: is there or is not there a saved sect among the Jews and the Christians? Is or is not the one added to this (Muslim) ummah a ruined sect? although nothing could be based on that question, it is just to perfect the discussion of the Hadith.

It is apparent, from the texts of Shari'ah, that in each group of the people of Scripture, there should be some who believed in Allah's Book, and acted upon the Sunnah of His Prophets. Allah Almighty said: **{they should not become like those to whom was given Revelation aforetime, but long ages passed over them and their hearts grew hard? For many among them are rebellious transgressors.}** [Al-Hadid 16] that many among them are transgressors means that some of them should be not transgressors. Allah Almighty further said: **{So We gave the ones who believed among them their reward, but many of them are defiantly disobedient.}** [Al-Hadid 27] He said too: **{And among the people of Moses is a community which**

(1) Sunan At-Tirmithi, Hadith no. 2641.

guides by truth and by it establishes justice.} [Al-A'raf 159] He also said: **{Among them are a moderate community, but many of them - evil is that which they do.}** [Al-Ma'idah 66]

It is narrated on the authority of Abu Musa Al-Ash'ari "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "Whoever among the people of Scripture believes in his Prophet and then believes in me will have a double reward."⁽¹⁾ This refers to his acting upon what was brought by his Prophet.

It is narrated on the authority of 'Abdullah Ibn Mas'ud "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said to me: "O 'Abdullah Ibn Mas'ud!" I said: "Here I am, O Messenger of Allah." He said: "Do you know which hanthold of faith is the most trustworthy?" I said: "Allah and His Messenger know best." He said: "It is to take allies just for the Sake of Allah, to love (whomever you love) just for the Sake of Allah, and to hate (whomever you hate) just for the Sake of Allah." The Messenger of Allah "peace be upon him" further said: "O 'Abdullah Ibn Mas'ud! I said thrice: "Here I am responding to you O Messenger of Allah." He asked: "Do you know who the best among the people is?" I said: "Allah and His Messenger know best." He said: "Verily, the best of people are those who do the best deeds among them, if they comprehend well their religion." The Messenger of Allah "peace be upon him" also said to me: "O 'Abdullah Ibn Mas'ud!" I said thrice: "Here I am, responding to you O Messenger of Allah." He said: "Do you know who the most learned among the people is?" I said: "No doubt, Allah and His Messenger know best." On that he said: "Verily, the most learned among the people is the one who sees most the truth when the people fall in dispute over it, even though he runs short of the deed, and crawls on his hands. These who were before us disputed and were divided into seventy-two sects, only three of which were saved, and the remaining (sixty-nine) were destroyed. One of those three resisted the (disbelieving) kings and fought them for the sake of the religion of Jesus, son of Mary "peace be upon them" until they were killed. The second had no power to resist the kings, thereupon they lived among their people and invited them to the religion of Allah and the religion of Jesus, son of Mary, thereupon they were seized by the kings, who cut them off by saws. The third had no power to resist the kings, nor to live among the people to invite them to the religion of Allah, and the religion of Jesus, son of Mary, thereupon they wandered in the mountains, and fled (for their religion), where they assumed monasticism; and it is those in connection with whom Allah Almighty said: **{but the Monasticism which they invented for themselves, We did not prescribe for them: (We commanded) except the seeking for the Good Pleasure of Allah; but that they did not foster as they should have done. Yet We bestowed, on those among them who**

(1) Sahih Al-Bukhari, Hadith no. 5084, 5117, 5118.

believed, their (due) reward, but many of them are rebellious transgressors.} [Al-Hadid 27] The believers are those who believed in and gave trust to me, and the rebellious transgressors are those who gave lie and were ungrateful.”⁽¹⁾

It is narrated by Ibn Wahb on the authority of ‘Ali "Allah be pleased with him" that he invited both the head of the Jews and the bishop of the Christians, and said to them: "I am going to ask you a question, of which I have better knowledge than you. So, conceal nothing thereof. O you head of Jews! I beseech you by Allah Who revealed the Torah to Moses "peace be upon him", fed you with manna and quails, made for you a dry road through the sea (to cross in flight from Pharaoh), and caused the water to gush forth from the rock in the form of twelve springs, one for each sect among the children of Israel to tell me: how many sects into which have the Jews been divided after (the death of) Moses?" he said: "Not even a single one." On that he said: "You have told a lie, by Allah other than Whom there is no deity. They have been divided into seventy-one sects, all of which would be in the Hellfire except only one."

Then, he invited the bishop and asked him: "I beseech you to tell me the truth by Allah Who sent down the Gospel upon Jesus "peace be upon him" made the blessing appear on his leg, thereby showed you a lesson to learn, caused him to cure the leper and blind, give life to the dead, create birds from clay (by Allah's leave), and foretell you about what you eat and what you save in your houses." He said: "Nothing other the truth O Commander of Believers." ‘Ali "Allah be pleased with him" said: "How many sects into which have the Christians been divided after (the death of) Jesus, son of Mary?" he said: "No, by Allah, not a single sect." on that he said thrice: "You have told a lie, by Allah other than Whom there is no deity. They have been divided into seventy-two sects, all of which would be in the Hellfire except only one." Then, he addressed the Jew saying: "Concerning you O Jew, Allah Almighty says: **{And among the people of Moses is a community which guides by truth and by it establishes justice.}** [Al-A‘raf 159] It is that which would be saved. As for us (Muslims), Allah Almighty says: **{Of those We have created are people who direct (others) with truth, and dispense justice therewith.}** [Al-A‘raf 181] It is that, from among this ummah, which would be saved."

The same is narrated by Al-Ajurri on the authority of Anas "Allah be pleased with him" in which he confirmed that only one from the Jews and one from among the Christians who would be saved and admitted to Paradise.

It is narrated by Sa‘eed Ibn Mansur in his Tafsir on the authority of

(1) Al-Mu‘jam Al-Kabir, At-Tabarani, Hadith no. 10357, 10380, 10531; As-Saghir, Hadith no. 624; Shu‘ab Al-Iman, Hadith no. 14, 15, 9510, 9511, 9513; Al-Mustadrak, Hadith no. 3790; Majma‘ Az-Zawa‘id, 7:260; Hilyat Al-Awliya’, 4:177.

‘Abdullah "Allah be pleased with him" that when long ages passed over the children of Israel, and their hearts grew hard, they invented a book from their own selves, which their hearts were inclined to, and was pleasing to their tongues. That is because the truth (in the real Scripture) prevented them from a lot of their desires, until they threw the Book of Allah behind their back, as if they knew not. They said: "Show this (invented) Book to the children of Israel: if they follow you, then, leave them untouched, and if they oppose you, then, kill them." Others of them said: "No. but you'd rather send to so and so, one of their learned scholars, and show this Book to him. if he follows you, then, no one would dispute with you over it; and if he opposes you, then, kill him." he hung the real Scripture in his neck and covered it with the dress and then went to them, and they presented the book to him and said: "Do you believe in that book?" he beckoned to his breast and said: "I have believed in this, and what is the matter with me that I do not believe in it?" he meant the Scripture that was in the leather bag (on his breast). They left him. He had companions who used to frequent him. When he died, they inspected his body and found the leather bag containing the Scripture. They said: "Do you not see his statement: "I have believed in this, and what is the matter with me that I do not believe in it?" he meant this Scripture. Thus the children of Israel disputed, and were divided into over seventy sects, the best of whom were the companions of this leather bag.⁽¹⁾

Although this story indicates that from among the children of Israel, there was a sect on the truth at its own time, neither its authenticity nor the authenticity of the previous one is uncertain.

Since it is proven that in the Jews and the Christians, there was a saved sect each, this requires that there should be a saved sect in this (Muslim) ummah beyond the seventy-two, or two according to the narration of the seventy-one. This means that its division differs from that of the people of the Scripture who were before it. It is proven in a previous Hadith that this (Muslim) ummah will follow those of the Scriptures (the Torah and Gospel) in their opposition, as well as it will follow them even in their religious innovations. That is indeed the topic to be discussed in the next question.

The eleventh question: this ummah will follow the traditions of those who were before it

It is proven in an authentic Hadith that The Messenger of Allah "peace be upon him" said: "Verily, you will imitate the traditions of the previous nations very closely, span by span, and cubit by cubit; and even if they entered into a hole of a lizard, you would follow them." We said: "O Messenger of Allah! Do you mean The Jews and The Christians?" The Prophet "peace be upon him" said: "Who else?"⁽²⁾ This identification indicates that they would be followed in

(1) Al-Kashf Wal-Bayan, 242; Tafsir Ibn Abu Hatim, 3339.

(2) Abu Sa'eed Al-Khudri. [Al-Bukhari, Hadith no. 3456 and 7320, and on the authority of =

their same deeds and acts.

It is narrated on the authority of Abu Waqid Al-Laithi "Allah be pleased with him" that he said: We set out with The Messenger of Allah "peace be upon him" towards Khaibar and we were still close to the time of disbelief, and the polytheists had a huge lote tree which they worshipped and hung their arms to, called That Anwat. We said: "O Messenger of Allah! Assign to us (a tree) That Anwat just as they (those polytheists) have a (tree) That Anwat." On that The Messenger of Allah "peace be upon him" said to them: "Allahu Akbar! You have said the same as the children of Israel had previously said to Moses "peace be upon him" as told by Allah in His saying: **{We took the Children of Israel (with safety) across the sea. They came upon a people devoted entirely to some idols they had. They said: "O Moses! fashion for us a god like unto the gods they have." He said: "Surely you are a people without knowledge."}** [Al-A'raf 138] of a surety, you would adopt the same traditions of those who were before you."⁽¹⁾

By that interpretation, the Hadith of the sects has come to apply to the same religious innovations previously committed by the Jews and the Christians. It confirms also that this (Muslim) ummah will make innovations in the religion of Allah Almighty like those of the Jews and Christians, and add a new unprecedented one, but this added religious innovation will be known only after the knowledge of the other religious innovations. It has been mentioned that this should not be made public even if it is known, as well as it is not acceptable to identify the added religious innovation; and Allah knows best.

It is narrated on the authority of Abu Hurairah "Allah be pleased with him" that he said: The Messenger of Allah "peace be upon him" said: "The Hour will not be established till my followers copy the deeds of the previous nations and follow them very closely, span by span, and cubit by cubit." It was said: "O Messenger of Allah! Do you mean by those (nations) the Persians and the Byzantines?" The Messenger of Allah "peace be upon him" said: "Who can it be other than they?"⁽²⁾

His saying that this Muslim ummah will copy the deeds and traditions of those who were before it does not require that it should necessarily follow their same religious innovations. It may follow exactly the same or the like of their religious innovations. The first is indicated by the previous Hadith in which he said: "Verily, you will imitate the traditions of the previous nations very closely,

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Abu Hurairah, Hadith no. 7319; Muslim Hadith no. 16[19]; Ibn Majah Hadith no. 3994; Ahmad in his Musnad 2:327, 450, 511, 527, 3:84, 89, 94].

(1) Musannaf Ibn Abu Shaibah, Hadith no. 38528; Majma' Az-Zawa'id, Hadith no. 11016, 11166; Musand Ahmad Ibn Hanbal, Hadith no. 21947, 21950; Al-Kabir, At-Tabarani, 13:21.

(2) Sahih Al-Bukhari, Hadith no. 7319; Ahmad in his Musnad, Hadith no. 8291, 8414, 8791.

span by span, and cubit by cubit; and even if they entered into a hole of a lizard, you would follow them." The other is confirmed by the narration in which they said to The Messenger of Allah "peace be upon him": "O Messenger of Allah! Assign to us (a tree) That Anwat just as they (those polytheists) have a (tree) That Anwat." On that The Messenger of Allah "peace be upon him" said to them: "Allahu Akbar! You have said the same as the children of Israel had previously said to Moses "peace be upon him"." to take a tree That Anwat is like to take a god other than Allah, but not the same; and Allah knows best.

The twelfth question: the corruption and dissoluteness of the deviant sects, and whether the threat should come to effect or is only willed

The Messenger of Allah "peace be upon him" told that those deviant sects would be in the Hellfire; and this indicates that each of those committed a major sin or a grave misdeed. That is because it is decided in the fundamentals that anyone put to threat by the religion should have committed a major and grievous crime. He "peace be upon him" said that all of them would be in the Hellfire only in terms of the sin because of which they were divided from the majority and its established community, and this applies only to a dividing religious innovation. This threat should be considered, whether or not it is abiding; and if it is not abiding, should it be imperative or subject to the will?

The first quest is based on the fact that some religious innovations do and others do not lead to apostasy. There is difference over the Khawarij and other deviant sects who oppose (the established community) in the creeds, and we have made a mention of it earlier. Wherever we render them disbelievers, requires to make abiding the prohibition, under the rule that disbelief and polytheism are unpardonable by Allah Almighty.

But to render them disbelievers is open to two probabilities:

The first pertains to the realization of the threat without forgiveness, as seems from the apparent meaning of the Hadiths. His saying: "...all of which will be in the Hellfire" means they will abide in it unchangeably.

The other probability is its being bound by will.

It may be argued that the imperative realization of the threat does not represent the opinion of the established community of Sunnah. In reply, let us say that this was adopted by a group of them in many major sins, concerning the will of Allah Almighty. but in some other major sins, they had evidence that they are not subject to that ruling. However, what is followed is the evidence.

As well as the evidence confirms that the perpetrators of major sins in general are bound by the Divine will, it also indicates to the following particularization from the general meaning of Allah's saying: **{but He forgives anything else, to whom He pleases; to set up partners with Allah is to**

devise a sin most heinous indeed.} [An-Nisa' 48] I mean Allah's saying: **{If a man kills a Believer intentionally, his recompense is Hell, to abide therein (forever).}** [An-Nisa' 93] The preparation of anything takes place before conveying it to the one for whom it is prepared. The murder combines the right of the Creator and the right of the creature (the murdered).

According to Ibn Rushd, "It is requisite for the repentance to be held valid to free oneself from the injustices of the people, or give back their rights. Of course, the killer has no way to do so, unless the murdered is caught before death, and forgives his murderer."

But even, it is worthier to say that it is requisite for the validity of his repentance and expiation for the crime of murder to make up for the loss of the murdered, by giving him the due value, which is quite impossible in view of his death. The same is true of the religious innovator, concerning the evidences. Consider what has already been presented in the second section, where you would find so many frightening threats.

Reflect upon the statement of Allah Almighty: **{Be not like those who are divided amongst themselves and fall into disputations after receiving Clear Signs: for them is a dreadful Penalty.}** that is indeed a severe threat. Then He Almighty resumed: **{On the Day when some faces will be (lit up with) white, and some faces will be (in the gloom of) black.}** to be sure, blackening faces is a sign of disgrace and entering the Hell fire. Then He said: **{to those whose faces will be black, (will be said): "Did you reject Faith after accepting it?"}** That is reproach and rebuke. Then He said: **{"Taste then the Penalty for rejecting Faith."}** That is, however, a confirmation of the previous threat. All of this indicates that those intended by the Holy Verses are the religious innovators from among the Muslims. That is because when one is followed on his religious innovators, it could hardly be given up, and its trace would continue to be until the Day of Judgment. All of this is caused by him (as the primal originator of the religious innovation). In this way, it is more grievous than killing a soul with no just cause.

According to Malik "may Allah have mercy upon him": "If a servant commits all the crimes, other than the association of partners with Allah (in worship), he may attain even the highest rank (in Paradise). That is because every sin a servant commits between him and his Lord, he is in the hope of being forgiven for him, except the religious innovation, who is not in the hope of being forgiven for him: on the contrary, it will fall with him in the fire of Hell." That is a clear statement about the imperative realization of threat.

The second is to be bound by the will of Allah Almighty to make them taste the blazing fire (if He so wills). Being so, his statement "...all of which will be in the Hellfire" is construed to mean that all of them deserve to be admitted to the Hellfire. That is similar to the opinion of the other sect in interpretation of Allah's saying: **{his recompense is Hell, to abide therein (forever).}** [An-Nisa' 93] That is, this is his recompense if Allah does not

forgive him; and if He forgives him, forgiveness is due to him if Allah so wills, in view of Allah's saying: **{but He forgives anything else, to whom He pleases.}** [An-Nisa' 48] as well as some Companions and their followers are of the opinion that the murderer is bound by the Divine will, even if he does not catch up the murdered (to free himself from the sin of murder), the same is valid to say here.

The thirteenth question: the truth is indisputably one

The statement of The Messenger of Allah "peace be upon him": "except for one" is a clear statement that the truth is only one which is indisputable.

Without doubt, if the truth is to be divided into sects, he "peace be upon them" would not have said "except for one", nor would dispute have been negated from Shari'ah absolutely, on the basis that it settles the disputes between the opponents, as confirmed by the statement of Allah Almighty: **{If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa' 59] He thus refers the settlement of disputes between the people to Shari'ah. Had there been any difference in Shari'ah, then, to settle the disputes in accordance with it would have been of no benefit at all. The disputes could be settled only in one way. This means that the men of truth could not be divided into sects.

He further said: **{And verily, this (i.e. Allah's Commandments mentioned in the above two Verses 151 and 152) is my Straight Path, so follow it, and follow not (other) paths, for they will separate you away from His Path.}** [Al-An'am 153] to be sure, the one path does not require division, whereas the many paths lead to division.

It may be argued that it is mentioned in the tenth question, according to the narration of Ibn Mas'ud "Allah be pleased with him": "These who were before us disputed and were divided into seventy-two sects, only three of which were saved, and the remaining (sixty-nine) were destroyed." The logic of your argument requires that the saved should be only one and no more, given that in clarification, all those three seemed on the truth and right. Similarly, it is permissible that the saved sects of this ummah may be three, except that the Hadith tells that it is only one sect to be saved.

In reply, let us say, first of all, that this Hadith is not necessarily authentic, since it is not narrated in any of the books of authentic Hadiths.

Second: although those sects may be counted three in their religion, it is only one in our religion, because there is no difference between them over the following in principal, in so much as it is over the capability and way of enjoining what is right and forbidding what is evil.

That those are more than one sect does not contradict the validity of their combination in only one. It is well-known that those addressed to enjoin what is right and forbid what is evil are not of the same rank and degree. Some of them could do so by force; and those are the kings and rulers and the men in

power in general. Some could do so by speech; and those are the scholars and those who stand in their position. The others could do so only by heart, with living among them in case of failure of migration, or with migration in case of being capable of it. All of this belongs, in the end, to one line, and is one of the characteristics of faith. It is within this context that The Messenger of Allah “peace be upon him” said: “After that, no faith (is accepted even as little as) a mustard seed.”⁽¹⁾

Being so, it is of no harm to consider the saved three in many Hadiths under a particular consideration, and one under another consideration. However, there still remains something to be discussed: that is, to regard them seventy-two sects requires that they will become seventy (after excluding the saved), which contradicts what has already been mentioned, in terms of combination between the sects of this ummah, and the sects of the other nations, in view of his statement: “Verily, you will imitate the traditions of the previous nations very closely, span by span, and cubit by cubit; and even if they entered into a hole of a lizard, you would follow them.”

The answer to this question is open to two probabilities: not to discuss the matter entirely, esp. if it contradicts the authentic Hadith, which confirms that they are seventy-one, whereas such narrations as that of Ibn Mas‘ud “Allah be pleased with him” confirm that they are seventy-two.

The other is to construe the three saved into only one of three different ranks. The narration of ‘Abd Ibn Humaid⁽²⁾ tells us that the saved of those are three, whether or not they are independent sects.

The statement of The Messenger of Allah “peace be upon him” “...all of which will be in the Hellfire, except one” indicates to generality. Nevertheless, it is made more specific by the other Hadith in which he says: “...seventy-two of which will be admitted to the Hellfire, and only one to Paradise.” This statement is too clear to interpret.

The fourteenth question: The Messenger of Allah “peace be upon him” identified only one sect

It is a well-known fact that The Messenger of Allah “peace be upon him” identified only one sect when he was asked about the saved one. He only counted all the sects (into which the ummah would be divided). That he identified only the saved, rather than the ruined, goes back to many reasons:

One is that to identify the saved sect is more fit for clarification to the worship of the person competent for religious assignments. Should the saved sect be identified, it is not necessary then to identify the other ruined sects. Furthermore, were all the ruined rather than the saved sects to be identified, it would be necessary to clarify it in order to be able to leave the religious innovations; and to leave a thing does not require to do another thing, be it

(1) Sahih Muslim, Hadith no. 50; Shu‘ab Al-Iman, Hadith no. 7560.

(2) Tathkirat Al-Huffaz, 2:534; Al-Bidayah Wan-Nihayah, 11:4.

opposed to or different from it. so, to identify this one is more beneficial.

The second is that this approach is briefer. If a mention is made of the saved sect, it will be known, at the first glance, that what opposes it will be ruined. identification in this case will be based on Ijtihad. Unlike is the different case, in which all the ruined sects are identified and the saved one left unidentified. No Ijtihad is useful to identify the saved one, since the mind has no share to affirm the acts of worship, the opposition of which is a religious innovation.

The third is that this is preferable for the principle of screening, as has previously been clarified in the discussion of the different sects; and were it to be explained, the purpose of screening would be contradicted. What is needed has been explained, and what is not needed has been left without explanation, except in terms of opposition.

The Messenger of Allah "peace be upon him", thanks to Allah, clarified this by saying: "It is that which follows the same traditions adopted by me and my Companions." This was a reply to their question: "Who is it O Messenger of Allah?" he answered that the saved sect would be the one which follows the same traditions adopted by him "peace be upon him" and his Companions. Since this was well-known to them, it needed no explanation. But it may need further explication for those to come after them.

The state of the Companions, and the Qur'an is the Imam to be followed:

In sum, his Companions "Allah be pleased with them" followed him and were guided by his guidance; and it is for this that they were praised, and the one they followed was appreciated in the Qur'an, i.e. Muhammad "peace be upon him", whose moral character was the manifestation of the Holy Qur'an as shown in Allah's saying: **{And you (stand) on an exalted standard of character.}** [Al-Qalam 4] What is followed, indeed, is the Holy Qur'an, and the Prophetic Sunnah came to explicate it. Thus, the follower of the Prophetic Sunnah is, without doubt, a follower of the Qur'an. The Companions "Allah be pleased with them" were the fittest for that from among all the people. Whoever imitates them belongs to the saved sect that will be admitted to Paradise, out of Allah's bounty. That is the significance of his statement "peace be upon him": "It is that which follows the same traditions adopted by me and my Companions."

The Holy Book and the Prophetic Sunnah represent the straight path:

The Book of Allah, and the Sunnah of the Prophet "peace be upon him" are the only way that is even, and anything else such as consensus and analogy is based on them. That is the conduct followed by The Messenger of Allah "peace be upon him" and his Companions. It represents the established community with which The Messenger of Allah "peace be upon him" described those (of the saved sect), because the community, at that time, were possessing that attribute. But the term 'established community' carries another meaning, which you will see later, Allah willing.

The claim of everyone who approves the title of Islam for his description that he belongs to the saved sect:

There is an issue to discuss in this definition. Everyone included under the flag of Islam, be he a religious innovator or a follower of the Sunnah, claims salvation for himself, and belonging to the saved sect. no one claims the opposite of this but he who leaves Islam (for apostasy), and is biased to the group of disbelievers, such as the Jews and Christians, and their likes, and the hypocrites, who demonstrate the opposite of what they really believe within themselves. But the one who approves the title of Islam for his description, and fights these of the other religions in defense of it accepts for himself only the best of its ranks: i.e. the rank of teaching. Were the religious innovator to know that he is a religious innovator, surely, he would not remain in that very state, nor accompany its men, nor take it as a religion in which he submits to Allah Almighty. this is indisputably innate in the human predisposition.

The dispute between the different sects with each expressing itself

Being so, each sect disputes with the others over its being the one fit for salvation. Do you not see how a religious innovator always appreciates his state and depreciates that of the others, under Shari'ah?

The advocate of acting upon the apparent meaning of the text claims that it is he alone who follows the Sunnah; and the deceiver claims that it is he alone who understands Shari'ah; and the supporter of the negation of the Divine attributes claims that it is he alone who is the monotheist; and the aficionado for the independence of the servant claims that it is he alone who observes justice, and that is why the Mu'tazilah called themselves the men of justice and monotheism. The same is true of each sect, whether or not it is proven to follow Shari'ah.

As far as the attestations from the Quran and the Sunnah are concerned, each sect also sticks to it. For instance, the Khawarij support their argument with the statement of The Messenger of Allah "peace be upon him": "A sect of my ummah will continue to stand on the right until the command of Allah (death) comes." According to another narration, "They will receive no harm because of the opposition of their opponents ; and whoever of them is killed in defense of his property will be a martyr." ⁽¹⁾

The orthodox support their claim by his statement "peace be upon him": "I advise you to stick to the established community, since the Hand of Allah is with the community; and whoever leaves the community even as little as a span has indeed removed the bond of Islam from his neck (i.e. has turned apostate)." ⁽²⁾ A mention may also be made of his statement: "Be the servant of

(1) Musnad Ahmad, Hadith no. 8257, 8917.

(2) Sunan An-Nisa'I, Hadith no. 4872, 7357; Sunan At-Tirmithi, Hadith no. 2863; Musnad Ahmad, Hadith no. 17209, 17833, 21498, 21600, 21601; Al-Kabir of At-Tabari, Hadith no. 10687, 10925, Musannaf Ibn Abu Shaibah, Hadith no. 31066, 38307; Shu'ab Al-

Allah (who is obedient and submissive even though you are) killed, and do not be the servant of Allah who kills (with no just cause)."⁽¹⁾

The Murji'ah support his claim with his statement "peace be upon him": "He, who testifies that there is no one worthy of worship except for Allah, with sincere (faith in it) from the depth of his heart, will be admitted to Paradise, even though he commits adultery and theft."⁽²⁾

On the other hand, his opponent argues depending on his statement "peace be upon him": "When an adulterer commits illegal sexual intercourse, then he is not a believer at the time he is doing it; and when a drinker of wine drinks it, then he is not a believer at the time of drinking it; and when a thief steals, then he is not a believer at the time of stealing; and when a robber robs, and the people look at him, then he is not a believer at the time of doing robbery."⁽³⁾

The one belonging to Qadariyyah argues depending upon the statement of Allah Almighty: **{So direct your face toward the religion, inclining to truth. [Athere to] the Fitrah of Allah upon which He has created [all] people. No change should there be in the creation of Allah. That is the correct religion, but most of the people do not know.}** [Ar-Rum 30] He also supports his argument with the statement of The Messenger of Allah "peace be upon him": "There is no one born but that he is created according to his true nature (of Islam). It is his parents who make him a Jew, a Christian, or a Magian, just as beasts produce their young with their limbs perfect. Do you see anything deficient in them?"⁽⁴⁾

The Mufawwith (Delegator)⁽⁵⁾ argues depending upon Allah's saying: **{By the Soul, and the proportion and order given to it; and its enlightenment as to its wrong and its right; truly he succeeds that purifies it, and he fails that corrupts it!}** [Ash-Shams 7-10] He also depends upon the statement of The Messenger of Allah "peace be upon him": "Do deeds (as much as you

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Iman, Hadith no. 7374, 7494, 7724; Al-Mustadrak, Hadith no. 259, 401-404, 1534; Jami' Al-Ahadith, Hadith no. 37187, 37440.

- (1) Musnad Ahmad, Hadith no. 21101; Al-Kabir of At-Tabarani, Hadith no. 3629, 3630; Jami' Al-Ahadith, Hadith no. 10957; Musannaf Ibn Abu Shaibah, Hadith no. 38584, 38585.
- (2) Musnad Ahmad, Hadith no. 18310, 22517; Jami' Al-Ahadith, Hadith no. 893, 20483, 23229, 23234, 23250, 23808.
- (3) Sahih Al-Bukhari, Hadith no. 2475, 5578; Sahih Muslim, Hadith no. 57; Sunan Ibn Majah, Hadith no. 3936; Sunan An-Nasa'i, Hadith no. 4869-71, 5179, 5180, 5659, 5670, 7076, 7126; Sunan At-Tirmithi, Hadith no. 2625; Musnad Ahmad, Hadith no. 7316, 8187, 14773.
- (4) Sahih Al-Bukhari, Hadith no. 1385; Sahih Muslim, Hadith no. 2658; Sunan At-Tirmithi, Hadith no. 2138; Musnad Ahmad, Hadith no. 7181, 7698, 9091, 9306, 10246, 14847; Sunan Abu Dawud, Hadith no. 4714, 4716; Sunan Al-Baihaqi, Hadith no. 11917, 11923-25; Shu'ab Al-Iman, Hadith no. 86.
- (5) A Shiite sect which believes that Allah Almighty delegated to Muhammad "peace be upon him" and 'Ali "Allah be pleased with him all His powers in this world.

can), as everyone finds it easy to do that for which he has been created." ⁽¹⁾

The Rafidah argue depending upon the Hadith of The Messenger of Allah "peace be upon him" in which he said: "I am your predecessor at the Lake-Fount, and some of you will be brought in front of me till I will see them and then they will be taken away from me and I will say: "O Lord, my companions!" It will be said: "You do not know what they did after you left. They reneged and turned back on their heels after you had left them" ⁽²⁾

In advocacy of their claim of giving priority to 'Ali "Allah be pleased with him" they depend upon the Prophet Hadith in which The Messenger of Allah "peace be upon him" says: "Your position (O 'Ali) from me is like the position of Aaron from Moses, except that there is no Prophet to come after me." ⁽³⁾ They also quote another Hadith in which he says: "I am the ally of him who takes 'Ali as his ally." ⁽⁴⁾

But their opponents support their claim of giving priority to Abu Bakr and 'Umar "Allah be pleased with them" with his statement: "Copy the guidance of those who would come after me (as my successors): Abu Bakr and 'Umar." ⁽⁵⁾ A mention may also be made of his saying "peace be upon him": "Allah and the Muslims do not accept anyone (to lead the prayer on behalf of me) except for Abu Bakr." ⁽⁶⁾

In sum, each of those claims that he belongs to the saved sect. being so, the religious innovator finds it abstruse upon himself to distinguish clearly the conduct of The Messenger of Allah "peace be upon him" and his Companions. Of course, no one could combine all those aspects, because they,

(1) It is narrated on the authority of 'Ali that he said: We were in a funeral procession in the graveyard of Al-Gharqad when The Messenger of Allah "peace be upon him" came to us, sat, and we sat around him. He had a stick with him. He lowered his head and began to scratch the earth with his stick, and then said: "There is no one among you but that a seat in Paradise or Hell has been allotted for him, and about whom it has been recorded whether he would be wretched or blessed." A person said: "O Messenger of Allah ' should we not then depend upon our destiny and leave doing the deeds?" He said: "Acts of everyone will be made easier for him according to what has been created for him. So that whoever belongs to the company of the blessed will have good works made easier for him and whoever belongs to the wretched ones will have evil acts made easier for him." see: Sahih Muslim, Hadith no. 2647; Sunan At-Tirmithi, Hadith no. 2136; Musnad Ahmad, Hadith no. 19, 621, 1348, 19882; Sunan Abu Dawud, Hadith no. 4709; Shu'ab Al-Iman, Hadith no. 189, 190.

(2) See Al-Bukhari no. 3349 & 3447.

(3) Sahih Al-Bukhari, Hadith no. 3707, 4416; Sahih Muslim, Hadith no. 2404; Sunan Ibn Majah, Hadith no. 115, 121; Sunan An-Nasa'I, Hadith no. 8138-42, 8399, 8404; Musnad Ahmad, Hadith no. 1463, 1490, 11290, 27126, 27307; Musannaf 'Abd-Ar-Razzaq, Hadith no. 9745, 20390.

(4) Sunan Ibn Majah, Hadith no. 121; Sunan An-Nasa'I, Hadith no. 8145, 8399, 8464; Sunan At-Tirmithi, Hadith no. 3713; Musnad Ahmad, Hadith no. 641, 950, 18502, 22995; Al-Mustadrak, Hadith no. 4577, 5594.

(5) Al-Awsat of At-Tabarani, Hadith no. 3816, 3920; Majma' Az-Zawa'id, Hadith no. 15554, 15606.

(6) Al-Mustadrak, Hadith no. 6703.

for the most part, contradict and conflict each other, except in case some of them are made fundamentals, and the others are referred to them by way of interpretation.

That is the behavior of all sects: each of them sticks to one of those evidences (as a fundamental principle), and refers the others to it, or gives no consideration to them by means of preponderance in case the occasion is established with a measure of uncertainty, in which preponderance is acceptable, or claims that the fundamental principle to which it goes back is established with full certainty, and what opposes it is established with a measure of uncertainty, which means there is no opposition between them.

In the early time, the way followed by the Companions "Allah be pleased with them" in this respect was very apparent. But that the approaches of difference has been established makes it quite impossible. This is the significance of Allah's saying: **{But they will not cease to disagree except him on whom your Lord has bestowed His Mercy (the follower of truth - Islamic Monotheism) and for that did He create them.}** [Hud 118-119]

Reflect, may Allah bestow mercy upon you, how the agreement and harmony came to be habitually impossible, perchance the mind would give rust to what has been told by Allah Almighty.

In sum, it is difficult to identify the saved sect in our time. But even, the matter should be put to investigation. That is indeed the focal point of this book. So, let us give its due care as much as made possible by Allah Almighty; and success lies with Allah.

Since this needs many details, we will defer it to the next section of the book, where it will be discussed independently, Allah willing; and it is Allah's aid that should be sought.

The fifteenth question: The Messenger of Allah "peace be upon him" said: "...all of which will be in the Hellfire, except for one." Would the one whose religious innovations address only the issue details be ruined just like the one whose religious innovations address the universals principles?

The Messenger of Allah "peace be upon him" said: "...all of which will be admitted to the Hellfire except for only one." That is inevitably true. But even, it is well-known that the deviant sects include only those whose religious innovations violate a universal principle and a general rule in the religion. It is those whom the Hadith involves. But the mentioned text does not address those whose religious innovations do not contradict a universal principle or violate a general fundamental rule in the religion. Such should be then put to question: as to whether or not he joins those sects.

In reply to that, let us say that the question is open to two probabilities:

The first is to say that the Hadith, in wording and meaning, does not address those in the middle between both extremities; and that is taken only from the general implication of the evidences already mentioned, like his saying: "Each religious innovation is an error", and so.

The other is to say that it is true that the Hadith has no evidence in wording, the purpose, in general, is implied in its meaning, as it seems from its implication of the two extreme parties.

the first is the party of salvation and safety, in which there is neither suspicion nor religious innovation. That is the implication of his saying: "It is that (tradition) adopted by me and my Companions."

The other is the party excessively involved in the religious innovation. I mean here the universal religious innovation, or that which violates a fundamental principle in the religion.

Here, he follows the established way of Allah Almighty in His Holy Book. When He Almighty mentioned the men of good and the men of evil, He joined each party with the good and evil it bears, so that the believer would stand in the middle between both, in hope and fear. He evoked the mind with the two evident parties. Therefore, both good and evil are of different ranks, some of which are higher than others. If the men of good in the highest rank are mentioned, those inferior to them would fear they would not join them, or hope they would join them; and if the men of evil in the lowest rank are mentioned, these inferior to them would fear they would join them, or hope they would not join them.

This meaning is well-known by deduction, which, when accomplished, indicates to the purpose of the lawgiver. It is confirmed by the narration of Sa'eed Ibn Mansur⁽¹⁾ in his Tafsir on the authority of 'Abd-Ar-Rahman Ibn Sabat⁽²⁾ that he said: When the people received the news that Abu Bakr intended to appoint 'Umar his successor in ruling, they said: "What would he say to his Lord when he meets Him? Would he say that he made his successor in ruling over us a harsh heart-hardened person? If he is so and he has no power of authority, then, what would he do when he has the power of authority?" Learnt about that, Abu Bakr said: "Do you frighten me of my Lord? Of course I would say (to my Lord when I meet Him): "I made my successor in ruling the best of Your creatures.""

Then, he sent to 'Umar (somebody to invite him and when he came) he said to him: "No doubt, there is a deed to be done to Allah at night which He never accepts by day, and a deed by day which He never accepts at night. It should be known to you that He never accepts a supererogatory deed unless you perform, first of all, the obligatory deed (that is enjoined upon you). Do you not see that Allah Almighty mentioned the men of Paradise with the best of their deeds? He rejected a good deed from them and does not accept anything unless anyone of them says: "Let me do a deed better than that." Do you not see that Allah Almighty enjoined both hope and fear so that the believer would have hope which stimulates him to do deeds, and fear which

(1) Shatharat Ath-Thahab, 2:62; At-Taqrīb, 1:360.

(2) Shatharat Ath-Thahab, 1:156; At-Taqrīb, 1:480.

stimulates him not to contribute in the destruction of his own self? Do you not see that the scale of deeds of those whose scale of deeds is heavy will become so only because they follow the truth and give up falsehood? Thus, their good deeds outweigh (the bad deeds), and it is the right of a scale in which only the truth is placed to be heavy. Do you not see that the scale of deeds of those whose scale of deeds is light will become so only because they follow falsehood and give up the truth? It is the right of a scale in which only the falsehood is placed to be light." Then he said: "Behold! If you maintain my advice, there will be nothing absent dearer to you than death, which you will inevitably face; and if you waste my advice, there will be nothing absent more hateful to you than death, and you will not cause it to fail to seize you." ⁽¹⁾

Regardless of the occasion of this narration, its meaning is true as confirmed by deduction of the one who follows the Holy Quranic Verses.

That this meaning is intended is confirmed by a similar quotation of 'Umar Ibn Al-Khattab "Allah be pleased with him". Once, he saw one of his companions having bought meat for a Dirham, thereupon he said to him: "How would you do with Allah's saying: **{\"You received your good things in the life of the world, and you took your pleasure out of them.}** [Al-Ahqaf 20] it is well-known that the Holy Verse was revealed in connection with the disbelievers, as it seems from His saying in it: **{And on the Day that the disbelievers will be placed before the Fire, (it will be said to them): \"You received your good things in the life of the world, and you took your pleasure out of them: but today shall you be recompensed with a Penalty of humiliation: for that you were arrogant on earth without just cause, and that you (ever) transgressed.\"}** That it was revealed in connection with the disbelievers did not prevent 'Umar "Allah be pleased with him" from quoting it on other occasions taking into consideration what has already been mentioned. However, it is a Shari'ah fundamental principle which is clarified in detail in Kitab Al-Muwafaqat.

In sum, the makers of innovations in the issue details of the religion are not like those whose innovations address the universal principles of the religion, in terms of condemnation and clear threat of the Hellfire, even though both share in the general implication of condemnation and threat, just as the companion of 'Umar "Allah be pleased with him" who ate meat shared in the general significance of the aforementioned Holy Quranic Verse when he got something of the pleasant food, which seemed unfavorable in the opinion of 'Umar, along with those disbelievers who received their good things in this life of world, regardless of the clear difference between them. Anyway, this issue has already been explained in detail in its proper place; and all perfect praise be to Allah.

The sixteenth question: the narration of those who related, in clarification

(1) Tafsir Sa'eed Ibn Mansur, no. 888.

of the saved sect, that it is the established community, needs, in itself, further explanation

the narration of those who related, in clarification of the saved sect, that it is the established community, needs, in itself, further explanation. That is because if it is clear in relation with the other narration in which The Messenger of Allah "peace be upon him" says: "It is that (tradition) adopted by me and my Companions", it is not so as regards the fact that the absolute term of the community in Shari'ah needs explanation.

There are many narrations in this respect, including, of course, the Hadith in issue. A mention may also be made of the following:

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: The Messenger of Allah "peace be upon him" said: "He, who disapproves of anything done by his governor, he should patiently persevere on him, for whoever leaves the established community (of Muslims) for as (little as even) a span, will die like the death of the pre-Islamic days (i.e. he will die as a disbeliever)." ⁽¹⁾

It is further narrated on the authority of Huthaifah Ibn Al-Yaman "Allah be pleased with him" that he said: The people used to ask the Messenger of Allah "peace be upon him" about good, but I used to ask him about evil for fear that it might overtake me. Once I said: "O Messenger of Allah! We were living in Jahilya and in evil before Allah bestowed upon us the present good (through you); will there be any evil after this good?" He said: "Yes." I asked: "Will there be good after that evil?" He said: "Yes, but it would be tainted with smoke (indicating metaphorically to some Little evil)." I asked: "What will its smoke be?" He said: "There will be some people who will lead (people) according to principles other than my tradition, and copy guidance other than mine. You will see their acts and disapprove of them." I said: "Will there be any evil after that good?" He said: "Yes, there will be some people who will invite others to the doors of Hell, and whoever accepts their invitation to it will be thrown in it by them." I said: "O Messenger of Allah! Describe those people to us." He said: "They will belong to us and speak our language." I asked: "What will you order me to do if such a thing takes place in my life?" He said: "Athere to the established community of Muslims and their Imam." I asked: "If there is neither an established community (of Muslims) nor an Imam (what shall I do)?" He said: "Keep away from all those different sects, even if you have to bite (Eat) the root of a tree, till you meet Allah Almighty while you are still in that state." ⁽²⁾

It is narrated by At-Tirmithi and At-Tabarani on the authority of Ibn

(1) Sahih Al-Bukhari, Hadith no. 7054; Sahih Muslim, Hadith no. 55:1849; Musnad Ahmad, Hadith no. 2487, 2702; Sunan Ad-Darimi, Hadith no. 2519; Sunan Al-Baihaqi, Hadith no. 16393; Shu'ab Al-Iman, Hadith no. 7497.

(2) Sahih Muslim, Hadith no. 51:1847; Sunan Al-Baihaqi, Hadith no. 16572.

‘Umar "Allah be pleased with them" that he said: ‘Umar Ibn Al-Khattab "Allah be pleased with him" addressed us in Al-Jabiyah saying: Now, I am standing among you in the same position as The Messenger of Allah “peace be upon him” had stood among us. He said: "I enjoin upon you a good treatment to my Companions, and then to those to come after them, and then to those to come after them. Then, falsehood will become widespread to the extent that a man will hasten to take oath without being asked to do so, and give witness without being asked to do so. I enjoin upon you to adhere to the established community, and I warn you of division. No man should be in seclusion with a woman, because no man becomes in seclusion with a woman but that Satan is the third of them. Satan always is with one (when he is alone), and far from the two (and the more they are, the farther he is from them). Whoever likes the extensive place of Paradise, let him adhere to the established community. He, to whom his good deed seems pleasing and evil deed displeasing, is really the believer." ⁽¹⁾

It is narrated on the authority of Ibn ‘Abbas "Allah be pleased with them" that he said: The Messenger of Allah “peace be upon him” said: "Allah never causes my ummah to unanimously gather on error. No doubt, the Hand of Allah is with the community, and whoever swerve (from the group) will leave for the Hellfire." ⁽²⁾

It is narrated by Abu Dawud on the authority of Abu Tharr "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said: "Whoever leaves the community even as little as a span has indeed removed the bond of Islam from his neck (i.e. has turned apostate)." ⁽³⁾

It is narrated on the authority of ‘Arfajah "Allah be pleased with him" that he said: I heard The Messenger of Allah “peace be upon him” having said: "There will be in my ummah those who will try to bring about dispute with their words. Whoever likes to divide the community of Muslims, chop off his head with the sword, whatever he might be."

The people differed, in opinion, over the meaning intended by the community in those Hadiths, and their difference produced five sayings:

The first opts for the fact that it is the greatest majority of the Muslims, as indicated by the speech of Abu Ghalib who said: "The greatest majority (of Muslims) are those to be saved among the sects. The tradition they adopt in

(1) Sunan An-Nasa'I Al-Kubra, Hadith no. 9175, 9176, 9219-25; Sunan At-Tirmithi, Hadith no. 2165; Al-Awsat, Hadith no. 1659, 2929, 6483; As-Saghir, Hadith no. 245.

(2) Sunan At-Tirmithi, Hadith no. 2167; Jami' Al-Ahadith, Hadith no. 39917, 44827; Kanz Al-Ummal, Hadith no. 37901.

(3) Sunan An-Nisa'I, Hadith no. 4872, 7357; Sunan At-Tirmithi, Hadith no. 2863; Musnad Ahmad, Hadith no. 17209, 17833, 21498, 21600, 21601; Al-Kabir of At-Tabari, Hadith no. 10687, 10925, Musannaf Ibn Abu Shaibah, Hadith no. 31066, 38307; Shu'ab Al-Iman, Hadith no. 7374, 7494, 7724; Al-Mustadrak, Hadith no. 259, 401-404, 1534; Jami' Al-Ahadith, Hadith no. 37187, 37440.

their religion is the truth, and whoever opposes them will die like the death of those in the pre-Islamic days, and whether the opposition involves something of Shari'ah, or their Imam and ruler, he is an opponent of the truth." That is the opinion of both Abu Mas'ud Al-Ansari and Ibn Mas'ud "Allah be pleased with them".

It is narrated that when 'Uthman Ibn 'Affan "Allah be pleased with him" was murdered, Abu Mas'ud "Allah be pleased with him" was asked about the affliction, thereupon he said: "Stick to the established community (of Muslims)! No doubt, Allah Almighty is not to gather the community of Muhammad "peace be upon him" on error; and keep patient until you would either get relieved, or get rid of a wicked." He further said: "Beware of division, because division leads to error."

Ibn Mas'ud "Allah be pleased with him" confirmed the order to hearken and obey (the ruler), as being the rope of Allah Almighty enjoined upon the people. Then, he withdrew his hand and said: "Verily, what you dislike in the group is better than what you like in the division."

It is narrated on the authority of Al-Husain "Allah be pleased with him" that it was said to him: "Was Abu Bakr really the successor of The Messenger of Allah "peace be upon him"?" he said: "Yes, by Allah! Allah is not to gather the ummah of Muhammad "peace be upon him" on error."

On the basis of this opinion, the established community includes the ummah's Mujtahids, religious scholars, and men of Shari'ah who act upon it; and their likes are in the same position, because they follow them, and emulate their conduct. Thus, whoever deviate from their community, they are those who swerve from the group, and become vulnerable to the snares of Satan. Those include all the religious innovators, who oppose the righteous predecessors; and this means that they do not belong to the majority under any circumstance.

The second chooses the opinion that the established community stands for the group of the leading Mujtahid scholars. Whoever deviates from the tradition adopted by the ummah's Mujtahid scholars will die like the death of those in the pre-Islamic days. The community of scholars are the group of Allah Almighty, through whom He established the argument against the worlds. They are those intended by the statement of The Messenger of Allah "peace be upon him": "Never does Allah gather my ummah on an error." That is because it is from them that the laymen take and learn their religion, to whom they resort when afflicted by a calamity, and whom they follow and imitate. His statement "My ummah never gather on an error" means that the scholars of my ummah never gather on an error.

That is the opinion of 'Abdullah Ibn Al-Mubarak, Ishaq Ibn Rahawaih, and many among the predecessors; and it is also the opinion adopted by the fundamentalists. In this connection, it was said to Ibn Al-Mubarak: "Who are the established community to be followed (by the Muslims)?" he said: "Abu

Bakr and 'Umar." He went on counting until he ended to Muhammad Ibn Thabit and Al-Husain Ibn Waqid. It was said: "But those died. Then, who are from among the living?" he said: "Abu Hamzah As-Sukkari⁽¹⁾."

It is narrated on the authority of Al-Musayyab Ibn Rafi' that he said: "Whenever they received a judgment that is not in the Book of Allah, nor in the Sunnah of The Messenger of Allah "peace be upon him" they would gather for it the scholars; and whatever they agreed upon would be taken into consideration as being the truth." An opinion similar to that of Ibn Al-Mubarak is handed down from Ishaq Ibn Rahawaih.

Being so, the non-Mujtahid scholar, who, anyway, is an imitator, is not included here. Whoever among them acts in opposition to the consensus deserves to die like the death of the pre-Islamic people. No one among the religious innovators also is included, because, first of all, the true scholar never innovates in the religion. The religious innovator is only the one who claims he is knowledgeable and he is not really so. Second, the religious innovation always takes him out of those whose opinions and statements are considered, depending upon the consensus that no consideration should be given to the opinions of the religious innovator; and even if he is said to be considered, that is not in the particular area of his religious innovation, because with the religious innovation, he opposes the consensus. At any rate, the religious innovators are not included under the greatest majority.

The third supports the opinion that the established community stands for the Companions "Allah be pleased with them" in particular. It is those who established the fundament of the religion, and fixed its main supports. They are those who never gather on error, even though others than them may do. Consider, for instance, the statement of The Messenger of Allah "peace be upon him": "The Hour will not be established on a man saying Allah, Allah."⁽²⁾ He "peace be upon him" further said: "The Hour (of Judgment) will be established only on the worst of the people."⁽³⁾

In those statements, The Messenger of Allah "peace be upon him" told that at particular times, there will be generations who may gather on error. That is the opinion of 'Umar Ibn 'Abd-Al-'Aziz. It is narrated by Ibn Wahb on the authority of Malik from 'Umar Ibn 'Abd-Al-'Aziz that he said: "The Messenger of Allah "peace be upon him" and his successors who took power after him laid the foundation of ways (in religion), and to act upon them is to give trust to the Book of Allah, make perfect the worship and obedience of Allah, and strengthen one to fulfill the requirements of the religion of Allah;

(1) Shatharat Ath-Thahab, 1:264; At-Taqrīb, 2:212.

(2) It is narrated on the authority of Anas. See Shu'ab Al-Iman, Hadith no. 524; Musnad Ahmad, Hadith no. 12682.

(3) It is narrated on the authority of 'Abdullah. See Sahih Muslim, Hadith no. 2949; Sunan Ibn Majah, Hadith no. 4039; Musnad Ahmad, Hadith no. 3735, 4144, Al-Kabir, Hadith no. 835, 7757, 7894, 10097.

and it is not fit for anyone to change, shift or even reconsider them. Whoever is guided by them will receive the right guidance; and whoever seeks help by them will be helped; and whoever opposes them will follow a way other than the way of the believers, and Allah Almighty will leave him in the path he has chosen, and land him in Hell, what an evil refuge!" Malik commented: "Indeed, I have admired the determination of 'Umar in this respect."

In this sense, the term 'community' agrees with the meaning given to it in the other narration in which The Messenger of Allah "peace be upon him" says: "It is that on which I and my Companions are." It seems to refer to what they said, laid the foundation of, and depended upon their independent reasoning in, as an absolute argument. That is affirmed to them by the witness of The Messenger of Allah "peace be upon him", esp. in such of his statements as "Stick to my Sunnah, and the Sunnah of the rightly-guided caliphs after me."

Additionally, it is those who received directly the Prophetic speech, were guided to the Shari'ah, and understood the religion of Allah Almighty orally from His Prophet "peace be upon him", with knowledge and insight in the legislative purposes and state presumptions, unlike others than them. What they laid the foundation of then belongs to the Sunnah, which has no match (in the fact that it is taken for granted), unlike anything else (to come after them) which is susceptible to be accepted or rejected by the men of Ijtihad. Being so, in no way would the religious innovators be included in the established community in this sense.

The fourth advocates the opinion that the established community represents the group of Muslims. If they decide a matter unanimously, it becomes incumbent upon the people from other religions and cults to follow them. It is those in connection with whom it was ensured by Allah Almighty to His Prophet "peace be upon him" not to gather them on an error. If there is difference among them, it is due to know the right in that over which they have disputed.

According to Ash-Shafi'i, "By no means would the established community be heedless of the meaning of the Book of Allah, nor of the Sunnah of His Prophet "peace be upon him" nor of the analogy. Heedlessness, therefore, lies in the division."

This opinion goes back, in origin, either to the second or, and that is more apparent, to the first. It means, like the first, that the Mujtahids should be included in the community; and at that point, there is no implication for any religious innovation in their unanimous agreement. They represent, indeed, the saved sect.

The fifth is that chosen by grand Imam At-Tabari, that is, the established community is the group of Muslims when they unanimously gather on a chief to rule them. The Messenger of Allah "peace be upon him" commanded to adhere to him, and forbade the people to leave the ummah in which they unanimously gather, as regards presenting him to rule over them. That is

because leaving them means one of two things:

One is to disapprove of their obedience of their ruler, and criticize his conduct with no just cause, in so much as by way of interpretation, with the intention to make an innovation in the religion. A mention may be made of the Haruriyyah, whom the ummah was commanded to fight, because they were regarded by The Messenger of Allah "peace be upon him" as deserters from the religion.

The other is to seek to take office and gain the pledge of allegiance in favor of the chief of the certain group. Of course, whoever does so has indeed repealed his pledge of allegiance, and revoked his covenant after it has become due. The Messenger of Allah "peace be upon him" said: "He, who comes to my ummah to divide their unity, chop off his head with the sword, whatever he might be."⁽¹⁾ In his comment on that, At-Tabari said: "That is the meaning of the command to adhere to the community."

He further said: As for the community which unanimously and willingly gather on presenting a man to rule over them, in the way that the one who leaves them will die like the death of the pre-Islamic people, is the same community described by Abu Mas'ud Al-Ansari "Allah be pleased with him". They represent most people from among the men of knowledge, religion and piety: they are, to be sure, the greatest majority.

This is clarified well by 'Umar Ibn Al-Khattab "Allah be pleased with him". It is narrated on the authority of 'Amr Ibn Maimun Al-Awdi that he said: When 'Umar "Allah be pleased with him" was stabbed to death, he said to Suhaib: "Lead the people in prayer for three days, and let 'Uthman, 'Ali, Talhah, Az-Zubair, Sa'd and 'Abd-Ar-Rahman enter upon me, and let 'Abdullah Ibn 'Umar be along with them in the side of the house (as a watcher) provided that he should not share them in the matter; and you, O Suhaib, stand with the sword over their heads: if five of them give the pledge of allegiance and one rejects, cut off his head with the sword, and if four give the pledge of allegiance, and two reject, then, cut off their heads with the sword (and so on) until they unanimously agree on one person."

He said: The established community which The Messenger of Allah "peace be upon him" commanded to adhere to, and called the one who leaves it a deserter from it is similar to the community whose unanimous agreement on a ruler enforces his caliphate, as put by 'Umar "Allah be pleased with him", who ordered Suhaib to chop off with the sword the head of the one who would leave it.

He added: As for the narration in which The Messenger of Allah "peace be upon him" told that they never unanimously gather on an error, it means that they never collectively agree on deviation from the truth about what afflicts them in their religious affairs in a way that causes them to swerve from

(1) Ibn Battal, Sharh Sahih Al-Bukhari, 10:35.

and fail to get the right knowledge. That is quite impossible to take place in the ummah.

In sum, the established community is based on the group that unanimously agree on an Imam (ruler) who complies with the principles and laws of the Book and the Sunnah. That is apparent in the fact that to gather on anything outside the Sunnah, such as the Khawarij and their likes, is not meant by the established community mentioned in the Hadiths.

Those are five opinions, all of which are centered on regarding the men of Sunnah and imitation (of the tradition of the Prophet and Companions) to represent the established community, as intended by the Hadiths. Let us take from that a fundamental principle thereupon to build another meaning, which is the topic of the next question.

The seventeenth question is that all of them agree on the consideration of the men of knowledge and Ijtihad (to represent the established community), whether or not the laymen are joined. In case they are not joined, there is no problem in the consideration of the greatest majority to be from among the scholars and learned Mujtahids, whose knowledge and Ijtihad are reliable and trustworthy. Whoever swerves from them and dies in such a state will die like the death of the pre-Islamic people.

To join the laymen to them produces no difference because they, being ignorant of the matters and affairs of Shari'ah, are to follow, and refer, in their religious issues, to those scholars. It is true that if the laymen contrive to oppose the scholars in what they stipulated to them, they will seemingly appear to be the greatest majority, due to the scarcity of scholars in comparison with the massive amount of the ignorant. But even, no one could dare to say that it is required, in this case, to follow the community of laymen, under pretext that the scholars are those who leave the community, and are condemned in the Hadith. The right is quite converse. The scholars are the greatest majority, no matter how few in number they might be, and the laymen, with their opposition to them, are the deserters from the established community. If they agree with them, that is their duty.

For this reason, when it was said to Ibn Al-Mubarak: "Who are the established community to be followed (by the Muslims)?" he said: "Abu Bakr and 'Umar." He went on counting until he ended to Muhammad Ibn Thabit and Al-Husain Ibn Waqid. It was said: "But those died. Then, who are from among the living?" he said: "Abu Hamzah As-Sukari." He meant Muhammad Ibn Maimun Al-Maruzi.

Thus, no consideration should be given to the laymen, absolutely, on those occasions (to represent the greatest majority). Being so, if a time is supposed to have no Mujtahid in it, by no means could we follow the laymen nor consider them to represent the greatest majority pointed out in the Hadith, that whoever disagrees with them would die like the death of the pre-Islamic people. But in this case, the transmission from the previous Mujtahids is dealt

with as if there were Mujtahids. What is required from the laymen at the time where there are Mujtahids is also required from the laymen at any time where there are no Mujtahids.

Additionally, to follow the opinion and reasoning of him unfit for giving opinion and reasoning is, without doubt, misguidance and error. That is the implication of the authentic Hadith: "Verily, Allah never takes away knowledge by depriving the people of it after He had given it to them: but He removes it by taking away the scholars, so that when He leaves no learned person, people would turn to ignorant as their leaders, who, subsequently, would be asked to deliver religious fatwa, and they deliver it without knowledge, thereupon would go astray, and mislead others."⁽¹⁾

It is narrated by Abu Na'eem on the authority of Muhammad Ibn Al-Qasim At-Tusi that he said: I heard Ishaq Ibn Rahawaih⁽²⁾ relating a Hadith which he elevated to The Messenger of Allah "peace be upon him" that he said: "Allah is not to gather the ummah of Muhammad on an error. So, if you see difference, then, stick to the greatest majority."⁽³⁾ A man said: "O Abu Ya'qub! Who are the greatest majority (meant in the Hadith)?" he said: "Muhammad Ibn Aslam⁽⁴⁾ and his companions, and those who follow them." Then he (Ishaq) resumed: A man asked Ibn Al-Mubarak about the greatest majority, and he said: "Abu Hamzah As-Sukari." Ishaq said: He meant in his time. But in our time, it is Muhammad Ibn Aslam and those who follow him." He added: "Were you to ask the ignorant about the majority, they would point out the group of people, knowing not that the group lies in a learned scholar who sticks to the tradition and way of The Messenger of Allah "peace be upon him". Whoever is with and follows him (such a scholar), is included in the group." He added: "For fifty years, I have never heard about a man who stuck to the tradition of The Messenger of Allah "peace be upon him" more than Muhammad Ibn Aslam."

It seems to you, from this story, how mistaken is the one who assumes that the established community is the group of people even though they have no scholar. That is, indeed, the false impression of the laymen, rather than the understanding of the learned scholars. So, let the one granted success by Allah firmly plant his feet in this issue, lest he would deviate from the right path; and there is no success but with Allah.

The eighteenth question is to explicate the meaning of the statement of The Messenger of Allah "peace be upon him": "From amongst my ummah, there would come out some people, with whose blood such inclinations would

(1) See Sahih Muslim, Hadith no. 2673.

(2) At-Taqrīb, 1:54; At-Taḥṭhib, 1:216.

(3) Sunan Ibn Majah, 3950; Sunan At-Tirmithi, Hadith no. 2167; Sunan Ad-Darimi, Hadith no. 54; Ad-Durar Al-Muntathirah, Hadith no. 458; Kashf Al-Khafa', Hadith no. 2999; 'Abd Ibn Humaid, Hadith no. 1220.

(4) Ash-Shatharat, 2:100-101; Al-Jarh Wat-Ta'dil, 7:201.

circulate and reach everywhere in the body in the same way as a hydrophobia circulates with the blood of its affected one, until there would be neither vein nor joint but that it would mix with it."

It is narrated by Abu Dawud on the authority of Mu'awiyah Ibn Abu Sufyan that the Messenger of Allah "peace be upon him" said: "The people of both Scriptures (the Jews and Christians) before you divided into seventy-two religious factions, and this (Muslim) ummah would be divided into seventy-three cults (of doctrines), all of which would be admitted to the fire (of Hell), except for one (to be admitted to Paradise), which is the established community (of Muslims who abide by all words and deeds involved in Sunnah). From among my ummah, there would come out some people, whose inclinations would circulate and reach everywhere in the body in the same way as hydrophobia circulates with the blood of its affected one, until there would be neither vein nor joint but that it would reach it."⁽¹⁾

This narration confirms that he "peace be upon him" told about these inclinations and tendencies because of which the people of his ummah would be divided into sects, and how some from among them would be possessed by those inclinations which would mix with their hearts so much that it would be too difficult upon them to repent from or give them up, in the same way as one is caught by hydrophobia, which sticks to the body of the affected one in a way that leaves no part of his body untouched.

As well as this disease is irremediable, and no medicine could avail in treating it, if the inclined person is made to drink into his heart the love of his inclination, no instruction nor teaching could influence on him, nor he would admit the proof (in case it disagrees with his tendency), nor would he be concerned about his opponents.

Take consideration, in this respect, from the preceding men of inclinations, such as Ma'bad Al-Juhni and 'Amr Ibn 'Ubad, and their likes: wherever they were met, they would be driven away, disliked and despised by the Muslims. But even, they but persisted in their error and misguidance, **{and if anyone's trial is intended by Allah, you have no authority in the least for him against Allah. For such, it is not Allah's will to purify their hearts. For them there is disgrace in this world, and in the Hereafter a heavy punishment.}** [Al-Ma'idah 41]

They relied on the arbitration of the pure minds, and made them share the Divine ordinance in appreciation and depreciation; and then restricted the judgments of Allah Almighty to what seemed to them, on which they established the reason-based judgments, saying, for instance, that it is due on Allah to do so and so, and not to do so and so, thereby making Him subject to the reason-based judgments, like the other human beings competent for religious assignments. Some of them did not reach such a severity and rather

(1) Sunan Abu Dawud, Hadith no. 4597.

appreciated a thing which they did, and depreciated another which they abandoned, and joined what they did with the acts ordained by Shari'ah. But they all retained the arbitration of mind.

Therefore, were they to stop at this, regardless of being hideous, the adversity would have been easier. But they exceeded all those limits to wage war against Allah and His Messenger "peace be upon him", by their objection to the Holy Book of Allah, and the Sunnah of His Prophet "peace be upon him", and attributing to them of contradictions, inconsistencies and differences what is not consonant with their majesty at all.

According to Al-'Atbi, "Some atheists objected, by criticism and slander, to the Book of Allah Almighty, engaged in idle talk and obscene words about it, and followed what is imprecise and not entirely clear in it, seeking discord, and seeking its interpretation (in search for the hidden meaning), with weak understanding, defective insights and suspicious opinions. They distorted the words from their right places, and ascribed the speech of Allah to contradiction, impossibility in meaning, inconsistency, linguistic mistakes, and disharmony, justifying their claims with reasons which may cause the weak and green heedless to incline from the truth, cast malicious allegations and suspicions into the hearts and breasts."

He added: "Had the mistakes they claimed been really so according to their interpretation, of a surety, they would have been preceded by others in criticizing it, I mean those against whom The Messenger of Allah "peace be upon him" continued to establish the argument with the Holy Qur'an, making it the sign of his Prophethood, and the proof for his truthfulness, challenging them to bring even a single Surah of its like, given their being the eloquent in speech, and elegant in expression, who culminated in poetry and oratory, and excelled all the nations in their sharp tongues, contentious quarrel, along with good reason and genuine opinion. That is the account given of them by Allah Almighty in more than an occasion in the Qur'an. Although they described the speech of Allah once as magic, once as poetry, once as the words of soothsayers, and once as the old narrations of the ancient people, Allah Almighty did not relate from them their objection to its language and style, nor their claim of its contradiction and inconsistency."

In refutation of their claims and denial of their allegations, Abu Muhammad Ibn Qutaibah specified two of his books, which are the best of his compositions at all. By relating this statement, I just intended to clarify the meaning of his saying "peace be upon him": "there would come out some people, with whose blood such inclinations would circulate and reach everywhere in the body in the same way as a hydrophobia circulates with the blood of its affected one, until there would be neither vein nor joint but that it would mix with it." Anyway, when the men of inclinations are possessed by their inclinations, nothing would be of advantage to them, nor would they consider anything in opposition to their opinions, nor would they reassess their

minds just as one who accuses himself, and pause for reflection at the reasons of problems, like the considerable men of understanding. But the least to be said of those is that they have followed their inclinations.

The nineteenth question: his statement "such inclinations would circulate with their blood and reach everywhere in the body in the same way as hydrophobia circulates with the blood of its affected one" refers to something which is mentioned and well-known rather than general and unknown. What is already mentioned to which those refer are simply the states which acted as the reason lying behind the division. Then, the Hadith confirms that those are the inclinations, in indication to the fact that whoever deviates from the tradition on which he and his Companions were has done so by following the inclinations, because of which he abandoned the Shari'ah. However, this has already been clarified well. So, there is no need to repeat it here once again.

The twentieth question: his statement "From my ummah, there will be a people..." is open to two probabilities: the first are those in whose blood their inclination circulates in the same way as the hydrophobia circulates in the blood of the affected one; and this means they would not revert from it; and the other stands for the one who, when entering into the religious innovation, is made to drink its taint in his heart. Those of the first kind could hardly repent from nor give up their inclinations. But the other kind include those, some of whom could and others could not repent from their religious innovations.

The authenticity of the first is confirmed by many narrations handed down from The Messenger of Allah "peace be upon him", in connection with the forbiddance of repentance from the religious innovators and men of inclinations. A mention may be made of his statement: "They will desert the religion in the same way as an arrow comes out of the game's body, and will not return to it until the feather returns to it once again."⁽¹⁾

He "peace be upon him" further said: "No doubt, Allah Almighty forbade repentance from every religious innovator."⁽²⁾

That is, indeed, confirmed by the reality. You could scarcely find a religious innovator who approved for himself his religious innovation having given it up, or repented from it. On the contrary, he increases in error and misguidance because of it.

Therefore, the authenticity of the other probability is attested by the fact that there is no indication in the transmitted texts that no repentance is accepted from him. That is also permissible, under reason and Shari'ah. From among these who acted upon their religious innovations, some, having reconsidered their false opinions and misunderstanding, retracted and repented

(1) Musnad Ahmad, Hadith no. 11632; Al-Mu'jam Al-Kabir, Hadith no. 7553; Jami' Al-Ahadith, Hadith no. 9055.

(2) Shu'ab Al-Iman, Al-Baihaqi, Hadith no. 9456.

from their religious innovations. A mention may be made of those of the Khawarij who retracted when Ibn 'Abbas "Allah be pleased with them" debated with them, and both Al-Muhtadi and Al-Wathiq who returned to the field of Sunnah after they had deserted it.

The second probability is more apparent. The first part of the Hadith tells that the ummah will be divided, and does not give the impression whether or not this division will originate from their being made to drink, into their hearts, the taint of the inclinations. Then, he "peace be upon him" clarifies that from among his ummah who will be divided from the established community, some will be made to drink, into their hearts, the taint of those inclinations, which means that some will not, regardless of being of their men.

It is unreasonable to imagine that his speech means that all those to be divided will be made to drink, into their hearts, the taint of the inclinations. The right is to say that from this ummah, many, because of inclination, will be divided from the established community, some of whom will have the inclinations circulate with their blood and reach everywhere in the body just as the hydrophobia circulates with the blood of the affected one, and others will not; and at this point, the division could be imaginable. The circulation of the inclinations in the blood is not at the same level: some take place in the end (rather than the means), and lead to disbelief, and others do not.

To the first division whose repentance is not accepted belongs the Khawarij; and to the other whose repentance may, likely, be accepted, belong the advocates of reason-based appreciation and depreciation, and the Zhahiriyyah, in the sight of those who regarded it a religious innovation.

The Khawarij's state is confirmed by the true and truly inspired "peace be upon him" in his saying: "They will desert the religion just as an arrow comes out of the game's body and will not return to it once again." a mention may also be made of those absorbed in the religion innovation so much that they have objected to the Holy book of Allah Almighty and the Sunnah of His Prophet "peace be upon him". They are more entitled to be disbelievers than those who have not attained their rank.

To the other division belong the advocates of reason-based appreciation and depreciation, provided that their reasoning would not lead them to the disbelief previously described. Here, a mention may be made of the Zhahiriyyah, if regarded a religious innovation.

That is, whoever is divided from the others with his religious innovation, even though partially (rather than universally) gets it circulate with the blood so that he is made to drink the taint of it into his heart, which means that no repentance is accepted from him. But it is not that every religious innovator gets his religious innovation circulate with his blood in the same way as a hydrophobia circulates in the blood of the affected person. Thus, there is a difference between the one who is made to drink, into his heart, the taint of his religious innovation, and the one who is not, regardless of being one of the

divided sects, as all are ascribed to division originally based on hatred and enmity.

The differentiation between both may go back, and Allah knows best, to one of two reasons:

the first is that the one made to drink, into his heart, the taint of his religious innovation, always advocates to it, which leads to hatred and enmity, whereas the one who is not so neither advocates to it, nor assumes himself to support it. The first advocates to it only after getting it circulate with his blood so much deeply that he discards from his heart anything else, and sees and hears nothing other than it. That is because it possesses his sight and hearing, and causes him to be blind from seeing and deaf from hearing anything whatsoever. That is the extreme love; and whoever loves anything as such always takes as allies and enemies in accordance with it, and cares not about anything he may encounter on his way.

His state is unlike that of the one who has not attained such a degree: in his sight, it is no more than a scientific issue which he obtains, and retains in his memory storage, and judges, by it, on proponents and opponents. But he refrains from disclosing his situation for fear of exposing himself to punishment and severe harm. It is well-known that whoever conceals what he is able to disclose, for fear of punishment, is less possessed and overtaken by that thing; and the same is true of the religious innovation, when it is hidden by its perpetrator.

The second is to say that the one made to drink, into his heart, the taint of the religious innovation assumes himself to advocate to it in a way that causes him to deviate from the greatest majority and the established community, as was the case with the Khawarij and their devotees and followers. A mention also may be made of these who frequented the kings and caliphs, and suggested to them weak arguments and groundless reasons that made them regard, with slightness, the carriers of Sunnah and protectors of the religion until they exposed them to great suffering and disaster, and made them taste the bitterness of adversity and harm, and the end of some of them was the killing, as was the affliction during the time of Bishr Al-Marisi and Ibn Abu Da'oud in the presence of Al-Ma'mun.

But if the religious innovation does not lead its perpetrator to such an assumption as of the first one illustrated in the Hadith, the love for it is not drunk into his heart. Many are those who did not do with their religious innovations like the doing of the Khawarij and their likes, and rather concealed and did not advocate to them publicly; and some of them are considered among the scholars and narrators of Hadith, simply because they were not recognized for those religious innovations.

It seems then that this perspective is more entitled to be right; and success lies with Allah Almighty.

The twenty-first question: is this internalization characteristic of some

religious innovations rather than others? It is well-known that some religious innovations may cause their perpetrator to drink their love into his heart, and some may not. In other words, a certain religious innovation may circulate with his blood and reach everywhere in his body, and a certain one may not do so. The religious innovation of the Khawarij stands in the end of the extremity of internalization, like that of those who reject analogism in the branches and issue details and claim to adhere to what is apparent in the end of the other extremity; and each may circulate with the blood of its perpetrator, just in the same way as the hydrophobia circulates in the blood of the affected person, like 'Amr Ibn 'Ubaid, who, as reported from him, denied Surat Al-Masad, as well as the statement of Allah Almighty: **{Leave Me alone, (to deal) with the (creature) whom I created (bare and) alone!}** [Al-Muddaththir 11] but some of them did not reach that state, like a set of such Muslim scholars and grammarians as Al-Farisi⁽¹⁾ and Ibn Jinni⁽²⁾.

The second is the religious innovation of Azh-Zhahiriyyah which circulated in the blood of its perpetrators so much that they said, in comment on the statement of Allah Almighty: **{and is moreover firmly established on the Throne (of authority)}** [As-Sajdah 4 and Al-Hadid 4]: "He is sitting on it." They declared this publicly, and fought each other for its sake. But this itself did not circulate with the blood of others as such, like Dawud Ibn 'Ali concerning the issue details and his likes.

The third is the religious innovation of adherence to the congregational supplication after the prayer which circulated in the blood of some of its perpetrators that they considered it binding to kill him who left it.

In this connection, it is narrated that a man of the celebrated dignitaries in the state, recognized for his power of authority, descended in the neighborhood of a man belonging to the juristic school of Malik, called Ibn Mujahid, and he was the Imam and Khatib of the mosque in which this dignitary came to pray. Ibn Mujahid used not to perform the congregational supplication following the prayer, as a part of his adherence to the juristic school of Malik, according to which this (religious innovation) was unfavorable. This man of authority disliked his abstention from supplication, and commanded him to do it, but Ibn Mujahid rejected.

One night, this man (Ibn Mujahid) led the 'Isha' prayer in the mosque, and when the prayer was over and he went home, the man of authority said to the attendants: "We have advised this man (Ibn Mujahid) to perform the congregational supplication after the prayer, and he rejected. When it was tomorrow morning, I would strike his neck with that sword." Feared for Ibn Mujahid, the people went to his house, and when he came out to meet them, he asked: "What is the matter with you?" they said: "By Allah, we fell afraid of

(1) Ash-Shatharat, 3:88; Wafiyat Al-A'yan, 1:325.

(2) Shatharat Ath-Thahab, 3:140.

the expected evil of this man (of authority), having been severely exasperated against you for your abstention from the congregational supplication." He said: "By Allah, I would not give up my custom." When they told him about the story, he said to them with smile: "Go away, and fear not. Tomorrow morning, it is his neck which will be struck with that sword, by Allah's power." He entered the house, and the group of people went away, in terror because of that man (of authority). When it was morning, some people, from among the visitors of the mosque, arrived at the home of the man, where it was commanded that his neck be struck with the sword, in realization of the promise of Ibn Mujahid, and affirmation of his dignity.

Therefore, the religious innovation may not be internalized as strongly as such; and this means that the dispute because of it would not lead to the same adverse consequences.

Those examples, I assume, have clarified the significance of the Hadith of The Messenger of Allah "peace be upon him" in case it is authentic. Of course, what he told should, inevitably, take place, without failure.

This is confirmed, in reality, by the division of the people in their states into two extremities and some standing between them, with nearness to or remoteness from each, like knowledge and ignorance, courage and cowardice, justice and injustice, generosity and miserliness, richness and poverty, honor and humiliation... to the end of those attributes.

The same is true of the religious innovations which fall in the souls. But another implication lies in the mention made by The Messenger of Allah "peace be upon him" of them, that is, the warning of approaching them as well as their perpetrators; and that will be the topic of the next question.

The twenty-second question: the hydrophobia gives the impression of infection; and the same applies to the religious innovation. Hydrophobia, as a disease, afflicts, in origin, the dog. When it bites anyone, he is afflicted like it, and more often, it becomes difficult upon him to get rid of that disease except by death. That is the case with the religious innovator: if he presents his opinion and controversy to somebody, he could hardly be saved from that evil. He may fall, along with him, in his opinion, and become one of his devotees, or, at least, have doubt in his breast, which he could hardly be able to remove.

Unlike are the other sins, which are neither such infectious nor transferable except as a result of the long company, permanent solace and getting accustomed to those sins. There are many traditions indicative of that meaning. The righteous predecessors forbade to sit, share food and speak with them, and aggravated the warning in this respect, and a lot of traditions have already been presented in the second section of that book.

For instance, It is narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he said: "He, who likes to dignify his religion, let him

avoid mixing with the devil and sitting with the men of inclinations, since sitting with them is more infectious than mange."⁽¹⁾

It is narrated on the authority of Humaid Al-A'raj that he said: Ghailan came to Mecca to enjoy the neighborhood (of the Sanctuary), and went direct to Mujahid (Ibn Jabr) and said to him: "O Abu Al-Hajjaj! I have received the news that you forbid the people to sit with me, and make a bad mention of me as if something about me has reached you even though I have not said it. I just say so and so." He brought something irrefutable. When he stood and left, Mujahid said (to those who were present with him): "Do not sit with him because he is an Anti-Fatalist."

Humaid resumed: When I was performing Tawaf one day, Ghailan caught me from behind, and pulled my garment and when I turned my face to him, he said: "How does Mujahid say so and so?" I told him and he walked with me and when Mujahid saw me with him, I came to him and started to talk to him and he did not reply to me, and to ask him and he did not answer me. In the morning (of the next day) I came to him and he was in the same state. I said to him: "O Abu Al-Hajjaj! Has anything evil reached you about me? Have I done anything disliked by you? What is wrong with me?" he said: "Have I not seen you with Ghailan although I had forbidden you to talk to or even sit with him?" I said: "O Abu Al-Hajjaj! I have not rejected your statement. I did not take the initiative to talk to him, and it is he who talked to me first." On that he said: "O Humaid! By Allah, had you not been trustworthy in my sight, you would not have seen me joyful in your face as long as I survive; and if you talk to him once again, you will not see me joyful in your face as long as I live."

It is narrated on the authority of Ayyub that he said: One day, I was in the house of Muhammad Ibn Sirin⁽²⁾ when 'Amr Ibn 'Ubaid came in and when he sat down, Muhammad Ibn Sirin placed his hand on his abdomen and stood and left. When he left I said to 'Amr: "Let's go." When we came out and he left I returned to Ibn Sirin alone and said to him: "O Abu Bakr! I have made sense to what you did." He said: "Have you really made sense to that?" I answered in the affirmative, thereupon he said: "It is not fit for me to be with him under the roof of a house."

It is narrated on the authority of somebody that he said: I was walking along with 'Amr Ibn 'Ubaid when Ibn 'Awn⁽³⁾ saw me, thereupon he turned away from me. According to another narration, 'Amr Ibn 'Ubaid entered the house of Ibn 'Awn who, on seeing him, did not talk to him, and, consequently, 'Amr did not ask him about anything. A short while later, Ibn 'Awn started to say many times: "How has he made it lawful to enter my house without being admitted by me? Would that he speaks!"

(1) Kitab Al-Bida", Ibn Waddah, p17.

(2) Shatharat Ath-Thahab, 1:138; At-Taqrīb, 2:169.

(3) Ash-Shatharat, 2:75; At-Taqrīb, 1:439.

It is narrated on the authority of Mu'ammal Ibn Isma'eel⁽¹⁾ that he said: It was said to Hammad Ibn Zaid⁽²⁾: "What is the matter that you did not narrate from 'Abd-Al-Karim more than one Hadith?" he said: "No doubt, I have visited him only once for something necessary I liked to know about that Hadith; and I do not like that Ayyub would know about that visit and I would have such and such property. I think that if he knows about that, there will be severance between us."

It is narrated on the authority of Ibrahim that he said to Muhammad Ibn As-Sa'ib⁽³⁾: "Approach us not as long as you are still on this opinion of yours." He belonged to the Murji'ah.

It is narrated on the authority of Hammad Ibn Zaid that he said: Sa'eed Ibn Jubair met me and said: "Have I not seen you with Talq⁽⁴⁾?" I said: "Yes. What is wrong with him?" he said: "Do not sit with him, because he belongs to the Murji'ah."

It is narrated on the authority of Muhammad Ibn Wasi'⁽⁵⁾ that he said: I saw Safwan Ibn Mihriz⁽⁶⁾, and Shaibah was near him, and he saw them wrangling each other, thereupon he shook off his garment and said: "You are no more than mange."

It is narrated on the authority of Ayyub that he said: A man entered upon Ibn Sirin and said: "O Abu Bakr! Let me recite to you only a Quranic Verse after which I will come out." He placed his fingers in his ears and said: "I assure to you to come out of my house if you are really a Muslim." He said: "O Abu Bakr! I will but recite only a Quranic Verse and then come out." He stood and started to straighten his lower garment in preparation for leaving, thereupon we faced the man and said: "He has assured to you to come out! Is it lawful for you to bring a man out of his house?" he then came out and we said to him (Ibn Sirin): "O Abu Bakr! What harm will you receive if he recites a Quranic Verse and then comes out?" He said: "By Allah, were I to assume that my heart would keep firm on the state (of certainty) in which it is, of a surety, I will be careless about his recitation. But I feel afraid he will shed doubt in my heart and even if I trouble myself so much in order to get rid of it, I could not do it."

It is narrated on the authority of Al-Awza'i that he said: "Wrangle not with a religious innovator, lest he would put in your hearts out of his trial."

Those traditions evoke to your mind the implication given by the Hadith, seeing that the effect of the religious innovator on the hearts is well-known.

(1) Shatharat Ath-Thahab, 2:16; At-Taqrīb, 2:290.

(2) At-Taqrīb, 1:197; At-Tathkirah, 1:228.

(3) Shatharat Ath-Thahab, 1:217-218; At-Taqrīb, 2:163.

(4) At-Taqrīb, 1:380; Al-Jarh Wat-Ta'dil, 4:490.

(5) Shatharat Ath-Thahab, 1:161; At-Taqrīb, 2:215.

(6) At-Taqrīb, 1:368; Al-Jarh Wat-Ta'dil, 4:423.

Therefore, a further implication is included in the similitude of the hydrophobia set forth in the Hadith.

The twenty-third question: the reason why the religious innovator is quite far from repentance. The sins committed by the servants in their practical religion, in terms of act, word and belief, are like the corporal and spiritual diseases. The medicines of the corporal diseases are known well, and the medicines of the practical diseases are repentance and righteous deed. As well as some corporal diseases are remediable and others irremediable, some kinds of hydrophobia in the practical diseases could be removed by repentance and others could not.

All sins, other than the religious innovations, could be removed by repentance, from the highest, the major sins, to the lowest, the minor sins. As for the religious innovations, two stories tell us that no repentance is accepted from them. The first is what has already been mentioned in condemnation of the religious innovator, without restriction.

The other is the case in issue, i.e. likening the religious innovators to the hopeless diseases, such as hydrophobia. This indicates that the repentance from the religious innovations is unsuccessful. This judgment is not general in so much as specific to those whose religious innovations circulate with their blood and reach everywhere in the body like hydrophobia does. Of course, this gives rise to a further implication of the Hadith, which will be discussed below.

The twenty-fourth question: from among those sects, there are some not made to drink into their hearts the taint of the inclinations pertaining to those religious innovations in this way previously discussed. In this case, repentance could be accepted from them. As well as this is possible in the sects, it is also possible in others than them, like the inventers and advocates of the partial religious innovations.

It may be that the narrations already mentioned would outweigh that Hadith in issue, the authenticity of the chain of narrators of which is questionable, given that some of those narrations are authentic.

A mention may be made of the Hadith in which The Messenger of Allah "peace be upon him" said: "They (the Khawarij) will desert the religion in the same way as an arrow comes out of a game's body and will never return to it until the feather returns to the arrow once again."⁽¹⁾

The other probability is that both may be combined in such a way as to make the first narration fundamental in the possible acceptance of repentance in general. To be sure, there is a combination between the religious innovations and inclinations, and when one is possessed by inclination in what he does or leaves, he will be strongly affected. In view of the combination between both, the religious innovators are called men of inclinations. The religious innovation

(1) Musnad Ahmad, Hadith no. 11632; Al-Mu'jam Al-Kabir, Hadith no. 7553; Jami' Al-Ahadith, Hadith no. 9055.

is always accompanied by a Shari'ah evidence originated from the inclination, or, in other words, a suspicious, rather than certain, evidence. That it is an inclination based on a seemingly Shari'ah evidence endears the religious innovation in the heart, and makes it drink the taint of its love. regardless of the disparity in this respect, under pretext that they all are not of the same rank, they share in the fact that there is no repentance to be accepted from such a person.

A third probability is to enforce that Hadith along with the previous ones. In this respect, we could say that the previous narrations are general, whereas this specific to the highest rank, i.e. that of internalization, and it is narrated in the context of causing aversion, as shown from his saying: "From amongst my ummah, there would come out some people, with whose blood such inclinations would circulate and reach everywhere in the body in the same way as a hydrophobia circulates with the blood of the affected one." It indicates that there would be also other peoples with whom the inclinations would not do the same as they do with the former, i.e. they would be in a lesser rank.

The twenty-fifth question: the following is mentioned in a version of this Hadith: "...the most tempting of them are a people who would make analogies in the religion according to their opinions, thereby make unlawful what Allah made lawful, and lawful what He made unlawful." ⁽¹⁾

According to this narration, the most tempting of this ummah are the adherents of analogism. But it is not all kinds of analogies which are addressed here: they are only the baseless analogies. There is agreement among the adherents of analogism that in order to be held valid, the analogy should be based on a fundamental principle in the Holy Book, or an authentic Prophetic Sunnah, or a considerable consensus. But if it is groundless, i.e. the fallacious analogy, it is not right to be considered in the religion, lest it would lead to violation in the religion, and make lawful, by Shari'ah, what is unlawful, and unlawful what is lawful. The personal opinion, in terms of being so, could hardly be subject to a criterion unless it has grounds in Shari'ah. Minds, in general, may appreciate what is not appreciated by Shari'ah, and depreciate what is not depreciated by Shari'ah. Being so, such groundless analogy becomes tempting to the people.

In the same narration, he "peace be upon him" stated that the fans of this analogism are more harmful and more tempting to the people than the other sects. That is, there are a lot of Hadiths in refutation of the opinions of the men of inclinations, who, for the most part, are suppressed by the private and the public as well, unlike the issuance of fatwa, whose proofs from the Book and the Sunnah are known only by the individuals, and only the private are able to distinguish the strong from the weak among them.

(1) Ibn Al-Mubarak in Kitab Az-Zuhd, 446; Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:133; Kanz Al-'Ummal, Hadith no. 1058.

Another Hadith to clarify the same issue

It is narrated on the authority of ‘Abdullah Ibn Mas‘ud "Allah be pleased with him" that he said: The Messenger of Allah “peace be upon him” said: "There is no year but that the coming year is worse than it. I do not say a year more rainy than another, more fertile than another, or in which there is a ruler better than another. But the matter is that your religious scholars and the good men among you will disappear (gradually year after year), until a people will come who will make analogies just according to their independent opinions, thereupon Islam will be ruined and lose power." ⁽¹⁾

Disappearance of scholars, and being replaced with the ignorant

The same meaning is clarified in another authentic narration in which The Messenger of Allah “peace be upon him” said: "Allah does not remove the knowledge, by taking it away from (the hearts of) the people. But he removes it by causing the religious learned men to die. When no one of them remains, people will take as their leaders ignorant persons who, when consulted, will give their religious opinion without knowledge. So they will go astray and mislead the people too." ⁽²⁾

Many famous traditions and sayings have already been mentioned, in condemnation of acting upon the personal opinion, handed down from the Companions and their followers, indicating that depending upon the opinion only may make lawful the unlawful, and unlawful the lawful.

The destructive analogy of Islam is that which opposes the Holy Book of Allah and the Prophetic Sunnah, and the tradition of the righteous predecessors of his ummah

It is a well-known fact that those traditions which condemn the acting upon the personal opinion are not intended to reject the Ijtihad (to depend on the knowledge-based personal reasoning) in issues not addressed by the Book, the Sunnah and consensus, provided that the one who does so should be well-acquainted with the matches and equivalents, and knows well the meanings of judgments and rulings, which enables him to make analogies based on similarity and justification, that do not contradict what is preferable and worthier. Such kind of analogy is not intended to make things lawful or unlawful. The destructive analogy is that which contradicts the Book and the Sunnah, and the tradition of the righteous predecessors of this ummah, or their meanings considered under Shari‘ah.

(1) Sunan Ad-Darimi, Hadith no. 188; Jami‘ Al-Ahadith, Hadith no. 40429; Fath Al-Bari, Ibn Hajar, 13:282.

(2) It is narrated on the authority of ‘Abdullah Ibn ‘Amr Ibn Al-‘As. Al-Bukhari, Hadith no. 100, 7307; Ibn Majah, Hadith no. 52; Ahmad, 2:162, 190, 203; Ad-Darimi, Hadith no. 239.

The violation of the fundamental principles in giving fatwa is of two kinds

The violation of the fundamental principles in giving fatwa is of two kinds: one is to violate a fundamental principle without sticking to another one. No famous giver of fatwa violates a fundamental principle clearly and evidently unless it has not reached him, as is the case with many Imams who, lacking knowledge of some acts of Sunnah, violated them by mistake. But no true Muslim violates anyone of the famous fundamental principles unless it is opposed by another one, not to mention the Imams recognized for giving fatwa.

The other kind is to violate the fundamental principle by means of certain interpretation, in which he is mistaken. A typical case is to give names to things improperly, to make the name indicate to the nominee partly rather than wholly, to consider only the wording, regardless of what is intended thereby...to the end of those kinds of interpretations.

The evidence for the fact that this is intended by the Hadith and its like is that if one is to make lawful or unlawful something which is famous, without interpretation, it will be out of disbelief and obstinacy, not adopted by the ummah, by all means, unless it has disbelieved, and it is quite impossible for the ummah to disbelieve.

When Allah Almighty Sends wind to take away the souls of the believers, no one will survive to ask whether this is unlawful or lawful. On the other hand, if one is to make lawful or unlawful something not famous and he violates it because its evidence has not reached him, it should be known that it occurred since the time of the Companions "Allah be pleased with them". This occurs only in the solitary issues, and by no means would it ruin the Islam, nor would the ummah go astray because of it.

It seems then that what is intended is to make lawful the evident or well-known unlawful things by means of interpretation. That is the case of the religious innovators, who abandoned the greater part of the Book whose meaning is precise and entirely clear, and rather followed these of the Book whose meaning is imprecise and not entirely clear.

That is indeed deviation from the truth, as described by Allah Almighty. If such give fatwa, from among those whose deeds and words are imitated by others, the laymen among the people would incline to them, under assumption that it is they who guard the religion for them, even though they go astray (and mislead others) without knowledge. Nothing is graver upon man than to encounter a calamity from wherever he expects not. Were he to know its way, he would be able to save himself from it as much as he could. But when it takes him aback, it becomes much more grievous. The same is true of the religious innovation, when it occurs to the layman by means of fatwa he receives from the one whom he assumes in the rank of the learned scholars, with the result that he goes astray from wherever he seeks guidance: O Allah!

Show us the straight way, The way of those on whom You have bestowed Your Grace, those whose (portion) is not wrath, and who go not astray.

The twenty-sixth question: in the Hadith, there is a verbal point therewith to conclude the discussion of it, in the sense that the Hadith, in meaning, reveals the object, and in adjective, refers to the substantive.

The Messenger of Allah “peace be upon him” told that all the sects would be admitted to the Hellfire except one only, which is the established community explained in the other Hadith. When he was asked to identify it, the expected answer would have been to designate it by saying: “I and my Companions, and those who do like our doing”, or such denotative, through reference (indirect speech) or by making a mention of one of its attributes,. but this did not take place.

The answer denoted the adjective rather than the substantive. It may seem, though only to the irrational, that the answer is incompatible with the question in wording. But the Arabs usually do not oblige themselves to this compatibility between the question and the answer, esp. when the meaning is understood. When they asked him to identify to them the saved sect, he guided them to the attribute by which it would be saved. He “peace be upon him” said: “(It is the one which follows) that on which I and my Companions are.”

Of those things in which the answer may seem incompatible with the question in wording, even though compatible in meaning, a mention may be made of Allah's saying: **{Say: Shall I give you glad tidings of things far better than those?}** that is, should I guide you to something better than the enjoyment of this World? the answer to this question would have been: Yes, guide us. Then, Allah Almighty said: **{For the righteous are Gardens in nearness to their Lord, with rivers flowing beneath; therein is their eternal home; with Companions pure (and holy) and the good pleasure of Allah. For in Allah's sight are (all) His servants.}** [Al ‘Imran 15]

Allah Almighty further said: **{The parable of the Garden which the righteous are promised! Beneath it flow rivers: perpetual is the enjoyment thereof and the shade therein: such is the End of the Righteous; and the End of Unbelievers is the Fire.}** [Ar-Ra’d 35] the parable here addresses the similitude rather than the real object, the same as He says in another context: **{Their similitude is that of a man who kindled a fire; when it lighted all around him, Allah took away their light and left them in utter darkness. So they could not see.}** [Al-Baqarah 17]

It may be argued that when The Messenger of Allah “peace be upon him” made a mention of the deviant sects, and the sect to be saved, the question to be made on that occasion would have been about the deeds and behaviors of the saved sect rather than about the sect itself. It is of no significance to designate a sect with no reference to the acts and deeds by which it would be saved. What counts is the deed rather than the doer. Were they to ask about its attribute or deed, it would have been more compatible in both wording and

meaning. But The Messenger of Allah “peace be upon him” seemed to have understood what they intended to ask about, thereupon he gave his answer to it.

Let us say that when they did not ask what they had to ask about, he “peace be upon him” gave them answer to it out of eager to teach them, and instruct them in what they should learn and ask about.

It may also be argued that it was impossible to designate that about which they had asked. Of a surety, salvation is not specific to the earlier rather than the later, and this saved sect was to come later.

The question requires designation, and their being not restricted to a specific time or place does not contribute in designation. For this reason, the attention was directed to identify the attribute that includes all, i.e. the tradition on which he “peace be upon him” and his Companions were.

As abstruse as this answer might seem to us, it is quite evident to those who raised the question. Their deeds were visible to anyone who was present with them. So, no further answer was needed for the question, which seemed clear and denotative to the attendants. But anyone who did not attend with them, nor witness their deeds and behaviors, is not like them. In this way, the answer does not go beyond the intended designation; and Allah knows best.

10. THE STRAIGHT PATH FROM WHICH WAYS OF RELIGIOUS INNOVATORS HAVE DEVIATED, AND GONE ASTRAY FROM GUIDANCE

Many points should be made here:

The first point: It has already been mentioned that each sect and faction claims to be on the straight path, and all the others are deviant from the right way; and this gave rise to difference among them over identifying and clarifying that path, to the extent that the issue has become abstruse upon every beholder. Some of them said: "Each Mujtahid (who depends on his knowledge-based reasoning) is on the right, whether his Ijtihad addresses the reasoning-based matters or the transmitted texts." The opinions then, in identification of this issue, are as numerous as these sects. That is, to be sure, the most grievous difference. There is almost no issue in Shari'ah, in which the scholars differ into over seventy doctrines, except this one. So, one of the most abstruse matters is the investigation to clarify the saved sect, which follows the tradition on which The Messenger of Allah "peace be upon him" and his Companions were.

Another point: had the straight path been identified by those who came after the Companions, there would have been no difference, in principle. That is because difference, whose cause is identified, is quite impossible. Difference, supposedly, is not intended for the sake of obstinacy, otherwise, it would lead to apostasy, given that we talk here about sects.

A third point: it has already been mentioned that the religious innovations are not made by one well-established in knowledge, in so much as by him who has not attained the rank of the men of Shari'ah, who are capable of dealing well with its proofs and evidences. To give witness that so and so is well-established in knowledge and so and so is not, is very difficult. Each opponent who takes sides with a particular sect alleges he is well-established in knowledge, and not short-sighted. If this is made a sign of the matter, the dispute then would be over the sign or over its rationale.

For example, the sign of leaving the established community is the division pointed out by Allah's saying: **{And be not as those who divided and differed among themselves after the clear proofs had come to them. It is they for whom there is an awful torment.}** [Al 'Imran 105] the division, as confirmed by all, may be actual or additional. Each faction claims to be the established community, and all the others deviant from the community.

Another sign is to follow the unclear evidences, to which each faction

ascribes the others, under claim that it is only the one that follows the foundation of the Book apart from the others. In this way, it makes its evidence a fundament, to which it refers all matters by means of interpretation, which differs from that of the others.

A further sign is to follow the inclination: a charge launched by each sect against the others, freeing itself from it.

With all of this, it is impossible for them to agree on the rationales for those signs; and since they do not agree on them, it will be quite impossible to take them for standardization, in a way that makes those indicative of them, being agreed upon among them. It is for this reason that they are signs: given their difference in the rationale, how should they be standardized by signs?

A fourth point: it has already been referred to the fact that screening upon this ummah is one of the purposes we understood from Shari'ah. If identification is made by Ijtihad, it does not require to agree upon its place.

Do you not see that the scholars decided that the two doctrines based on personal opinions could hardly gain agreement? Were they to be identified by text, there would be no problem. Nay! The Khawarij are as they were without change, even though the Messenger of Allah "peace be upon him" identified them and designated their sign concerning the defective one, when he said: "Let him, for he has companions who pray and fast in such a way that you will consider your fasting and prayer trivial in comparison to theirs. They will desert Islam as an arrow goes through a game, so that the hunter, on looking at the arrow's feathers, would see nothing on it. He would look at its blade and see nothing. He would look at its shaft and see nothing. He would look at its strings and see nothing (neither meat nor blood), for the arrow has been too fast even for the blood and excretions to smear. The sign by which they will be recognized is that among them there will be a (black) man, one of whose arms (or said one of whose breasts) will resemble a woman's breast or a lump of meat moving loosely. This faction will appear when there will be differences amongst the people." Abu Sa'eed (the narrator) further said: I testify that I heard this narration from The Messenger of Allah "peace be upon him" and I testify that 'Ali Ibn Abu Talib fought with such people, and I was in his company. The man (described by The Prophet) was brought at whom I looked and noticed that he was exactly as The Prophet had described.⁽¹⁾

It is those whom 'Ali Ibn Abu Talib "Allah be pleased with him" fought, when they neither reverted nor desisted from their doctrine. Then, what do you think about those unidentified in the transmitted text?

A fifth point: I mean here what has been stated in comment on Allah's

(1) Sahih Al-Bukhari, Hadith no. 6933; Sahih Muslim Hadith no. 148:1064; Sunan An-Nasa'i, Hadith no. 8560-61; Sunan Al-Baihaqi, Hadith no. 16479; Kanz Al-'Ummal, Hadith no. 31232, 31589; Al-Tayalisi in Al-Firdaws, Hadith no. 165, 166, 169; Ahmad in his Musnad 3:33, 56, 65.

saying: **{If your Lord had so willed, He could have made mankind one People: but they will not cease to dispute, Except him on whom your Lord has bestowed His Mercy (the follower of truth - Islâmic Monotheism) and for that did He create them. And the Word of your Lord has been fulfilled (i.e. His Saying): "Surely, I shall fill Hell with jinn and men all together."}** [Hud 118-119] This gives the impression that the difference does not disappear, as confirmed by the Hadith we have previously clarified, i.e. the Hadith of the deviant sects. The Quranic Verse does not indicate to the specifics of difference. The difference may be in the religions other than Islam. But the Hadith states that it may be also in this ummah (of Muslims). That is why it is included in the Quranic Verse, indisputably.

Being so, it seems clear that to identify the saved sect is based on Ijtihad which is always debatable, and even if certainty, rather than assumption, is claimed, it is theoretical rather than factual. But, by Allah's power and will, let us adopt in this issue a moderate approach acceptable to the mind of the successful, and admitted to be authentic by the one endued with the universal principles and issue details of Shari'ah; and it is Allah Who guides to the right.

Let us say: first of all, we should introduce to the issue before starting to discuss it. The invention in Shari'ah goes back to ignorance, or having good assumption of mind, or following the inclination in search for the truth. This enumeration is deduced from the Book and the Sunnah. We have already presented many things from which the evidences for this issue may be taken. But those three directions may stand in seclusion or combination. In case of combination, they may be two or three.

As for ignorance, it may pertain to the means by which the purposes are understood, or to the purposes themselves. As for having good assumption of the mind, it may be made to share the law in legislation, or given priority over it. Those kinds go back to one. As for following the inclination, it is to make understanding prevail until it disputes with the proofs, or, at least, relies on no evidence at all. Those two kinds also go back to only one. We then have four kinds: ignorance of the means of understanding, ignorance of the purposes, having good assumption of the mind, and following the inclination. Let us talk about each solely; and success lies with Allah.

1.10. The First Kind: Ignorance Of Means Of PURPOSES

Allah Almighty revealed the Qur'an in the clear Arabic tongue. That is, it is, in its words, meanings and styles, in the tongue of the Arabs. In confirmation of that, Allah Almighty said: **{We have made it a Qur'an in Arabic, that you may be able to understand (and learn wisdom).}** [Az-Zukhruf 3] He further said: **{(It is) a Qur'an in Arabic, without any crookedness (therein): in order that they may guard against Evil.}** [Az-Zumar 28] He said too: **{To your heart and mind, that you may admonish In the perspicuous Arabic tongue.}** [Ash-Shu'ara' 193-195]

the one to whom the Qur'an was revealed is an Arab, and the most eloquent in speech, i.e. Muhammad Ibn 'Abdullah "peace be upon him". those to whom he "peace be upon him" was sent as a Prophet were also Arabs. So, the Quran speech addressed them in accordance with their usages of language. It has nothing of word or meaning but that it occurs in accordance with their usage. Nothing (non-Arabic) mixed with it: it is denied to have anything non-Arabic. He said: **{We know indeed that they say, "It is a man that teaches him." The tongue of him they wickedly point to is notably foreign, while this is Arabic, pure and clear.}** [An-Nahl 103] He also said: **{Had We sent this as a Qur'an (in a language) other than Arabic, they would have said: "Why are not its verses explained in detail? What! (a Book) not in Arabic? And (a Messenger) an Arab?" Say: "It is a guide and a healing to those who believe; and for those who believe not, there is deafness in their ears, and it is blindness in their (eyes): they are (as it were) being called from a place far distant!"}** [Fussilat 44]

although he was sent to all the people, it should be known that Allah Almighty made all the nations and peoples as well as all languages and dialects, esp. in the matter of the Qur'an, follow the Arabic tongue. Being so, the Book of Allah could be understood only through the very manner in which it was revealed, concerning its words, meanings and styles.

As for its words, they are self-evident. As for its meanings and styles, it is well-known that the language is all-extensive. In some cases, it addresses with what is general and apparent, thereby intending only the apparent, and with its beginning, it is dispensed with its conclusion; and in other cases, it addresses with what is general and apparent, thereby intending the general which includes the particular, as indicated with many words; and in other cases, it addresses with what is general and apparent thereby intending the particular, and the apparent which is known in its specific context that what is intended is something other than that apparent. All this is known from the beginning or

the middle or the conclusion of the speech.

It begins to speak about something in a context, the first word in which indicates to the last, or the last to the first. It also talks about something which you know only by meaning rather than wording, the same as is the case with reference (allusion), being the most eloquent type of speech. It also calls the same thing with many names, and gives the same word a lot of connotations.

All of those are approved of by it, even though disapproved of by other languages, not to mention the other variations known only by him who practices their speech, and is well-acquainted with their linguistic usages.

For example, Allah Almighty said: **{That is Allah, your Lord! There is no god but He, the Creator of all things; then worship you Him; and He has power to dispose of all affairs.}** [Al-An'am 102] He also said: **{There is no moving creature on earth but its sustenance depends on Allah.}** this belongs to what is apparent and general, in which there is nothing specific. Everything of heaven, earth, animated and inanimate beings, is created by Allah Almighty; and the sustenance of every moving creature relies upon Allah Almighty. **{He knows the time and place of its definite abode and its temporary deposit: all is in a clear Record.}** [Hud 6]

He Almighty said: **{It was not fitting for the people of Medina and the Bedouin Arabs of the neighborhood, to refuse to follow Allah's Messenger, nor to prefer their own lives to his: because nothing could they suffer or do, but was reckoned to their credit as a deed of righteousness, - whether they suffered thirst, or fatigue, or hunger, in the Cause of Allah, or trod paths to raise the ire of the Unbelievers, or received any injury whatever from an enemy - for Allah suffers not the reward to be lost of those who do good.}** [At-Tawbah 120] His statement **{{It was not fitting for the people of Medina and the Bedouin Arabs of the neighborhood, to refuse to follow Allah's Messenger, nor to prefer their own lives to his}}** is intended to refer to those who could and those who could not tolerate. Thus, it is general in meaning.

Allah Almighty said: **{Then they proceeded: until, when they came to the inhabitants of a town, they asked them for food, but they refused them hospitality.}** [Al-Kahf 77] This belongs to the general thereby the specific is intended, as they did not ask all the inhabitants of the town for food.

Allah Almighty said: **{O mankind! We created you from a single (pair) of a male and a female, and made you into nations and tribes, that you may know each other (not that you may despise each other).}** This is general and common to all the people. Following that, He said: **{Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you.}** [Al-Hujurat 13] That is specific; because the righteousness is incumbent on these who have attained the age of maturity and discernment.

Allah Almighty said: **{Men said to them: "A great army is gathering against you, so fear them": but it (only) increased their Faith; they said:**

"For us Allah suffices, and He is the best disposer of affairs." [Al 'Imran 173] What is intended by men in the second time is a particular group of men, otherwise, those against whom the men would be mobilized are men too, and who set out (for fighting). But the term men may be given to three, to all the men, as well as to any number between both extremes. So, it is right to say: the men have mobilized against you; and the men who told them about that were four only.

Allah Almighty said: **{O men! Here is a parable set forth! Listen to it!}** [Al-Hajj 73] What is intended by the people here are those who take deities other than Allah, apart from the children, the mad and the believers.

Allah Almighty said: **{Ask them concerning the town standing close by the sea. Behold! they transgressed in the matter of the Sabbath. For on the day of their Sabbath their fish did come to them, openly holding up their heads, but on the day they had no Sabbath, they came not: thus did We make a trial of them, for they were given to transgression.}** [Al-A'raf 163] The question seems to be about the town itself. But the context of His saying: **{Behold! they transgressed in the matter of the Sabbath...}** indicates that what is intended are its men (rather than the town), because the town neither transgresses nor proves wicked (as a non-living being).

Allah Almighty said: **{How many were the populations We utterly destroyed because of their iniquities, setting up in their places other peoples?}** [Al-Anbiya' 11] His saying **{because of their iniquities}** indicates that what is intended are its inhabitants (rather than the town).

He said too: **"Ask at the town where we have been and the caravan in which we returned, and (you will find) we are indeed telling the truth."** [Yusuf 82] The meaning is self-evident: what is intended are the inhabitants of the town, a fact in which there is no dispute among these well-versed in the Arabic. That is because neither the town nor the caravan could tell about anything (as non-living beings).

All of this is mentioned by Ash-Shafi'i "may Allah have mercy upon him" in those well-established variations of the Arabs in their language. In sum, he clarifies that the Qur'an could be understood only in accordance with those variations. Ash-Shafi'i presented the more abstruse variations of the Arabs in language, because all other Arabic variations were explicated, in detail, by its men, I mean those of grammar, etymology, eloquence, rhetoric, vocabulary explanation, news and stories handed down from the ancient Arabs. The Qur'an, generally speaking, has been revealed with all those variations. That is why it is called 'Arabic'.

Being so, two things are due on the scholars and those who talk in Shari'ah, whether in its fundamental principles or branches:

The first is that one should not talk about any of that unless he is an Arab speaking native or, at least, like the Arab speaking native in being well-acquainted with the Arabic tongue, just like the Arabs or the early leading

linguists, such as Al-Khalil, Sibawaih, Al-Kisa'i, Al-Farra', and their likes. It is of no importance to be in their degree of memorization or encompassing of knowledge. The point is that his understanding should be Arabic in total. It is with this that the earlier Arabic scholars were distinguished over the later. In this sense, they endeavored until they became leading scholars. but if he does not attain that rank, only imitation is sufficient for him in understanding the meanings of the Qur'an. He should not have a good assumption of his understanding without asking the men of knowledge about it.

According to Ash-Shafi', On the basis of what has previously been mentioned: whoever ignores that in its language, i.e. the Arabic tongue, given that it is in its language that the Qur'an was revealed, and the Prophetic Sunnah came, and speaks about it ostentatiously, will have talked ostentatiously about what he ignores of its words. Whoever talks ostentatiously about what he ignores, and could not encompass in knowledge, then, his agreement with the right, if he agrees with it, where he does not know it, is not praiseworthy, and he will, therefore, be inexcusable in his mistake. That is because he reflects upon what he does not encompass in knowledge, by the difference between the right and the wrong in it.

His statement is true. To talk about the Qur'an and Sunnah without knowledge is out of ostentation, and e have been forbidden to be ostentatious. Whoever does so also is included under the significance of the Hadith in which The Messenger of Allah "peace be upon him" said: "Allah does not remove the knowledge, by taking it away from (the hearts of) the people. But he removes it by causing the religious learned men to die. When no one of them remains, people will take as their leaders ignorant persons who, when consulted, will give their religious opinion without knowledge. So they will go astray and mislead the people too."⁽¹⁾ Unless such has an Arabic tongue to refer to in the Holy Book of Allah and the Sunnah of His Prophet "peace be upon him" he will refer to his non-Arabic understanding, and his mind which does not stick to a proof will go astray.

It is narrated by Ibn Wahb on the authority of Al-Hasan that it was said to him: "What is your opinion about the man who learn Arabic in order to correct his speech and set right his pronunciation?" he said: "Well! Let him learn it. No doubt, man may recite and, failing to understand it, will be ruined."

It is further narrated on the authority of Al-Hasan that he said: "They have been ruined by their non-Arabic tongue, because by it they interpret the Qur'an improperly (and distort it)."

The other is that if anything in the Book or the Sunnah is abstruse on him, in wording or meaning, he should not talk about it without confirmation

(1) It is narrated on the authority of 'Abdullah Ibn 'Amr Ibn Al-'As. Al-Bukhari, Hadith no. 100, 7307; Ibn Majah, Hadith no. 52; Ahmad, 2:162, 190, 203; Ad-Darimi, Hadith no. 239.

from others who are well-acquainted with the Arabic. It is true that he may be a leading scholar in it. But, at the same time, in some cases, a certain matter may be hidden from him. for this reason, precaution here is preferable. Some meanings may be absent from the mind of even the native Arabic speaking, until he asks about them. Something like this was transmitted from the Companions "Allah be pleased with them", given that they were the pure Arabs, then, what about the other (non-Arabs)?

It is narrated on the authority of Ibn 'Abbas "Allah be pleased with them" that he said: "I did not know the meaning of **{The Creator of the heavens and the earth (out of nothing)}** [Fatir 1] until two Bedouins came to me and they were in dispute over a spring, and one of them said: "It is I who created it (out of nothing)." (Then I came to know it)."

It is narrated on the authority of 'Umar "Allah be pleased with him" that he asked, while being over the pulpit, about the meaning of Takhawwuf in Allah's saying: **{Or that He may not call them to account by a process of slow wastage, for your Lord is indeed full of kindness and mercy.}** [An-Nahl 47] A man from Huthail told him that Takhawwuf (the Arabic equivalent) means wastage. There are many like this.

According to Ash-Shafi'i, " Arabic is the most extensive among all languages, and has the greatest number of words...we do not know that anyone encompasses it entirely in knowledge but a Prophet. But, at the same time, there is nothing of it which could escape its men, in general, but that there should be, among them, such as knows it...the knowledge of it among the Arabs is like the knowledge of Sunnah among the jurisprudents: we do not know that there is anyone who has encompassed in knowledge all acts of Sunnah without having anything thereof escaped him. if the public of the men of knowledge are combined, of a surety, they would come across the acts of Sunnah entirely; and if they are divided with the knowledge of each to be considered solely, some of those would surely escape him, and what escapes him thereof would be found with another belonging to his class and rank of knowledge...the same is true of the Arabic language among its men, their public and private. Nothing thereof could escape them in order to be sought from others (non-Arabs). Furthermore, no one could teach it but he who internalizes it from them, and no one could share them in it but he who follows them in learning it from them. Whoever internalizes it from them belongs to its men. However, those who are considered not of its men are so because they leave it. Therefore, if such gets into it, he will become of its men."

That is his opinion, in which no one differs with him. being so, it is due on everyone who likes to reflect upon the Book and the Sunnah, to learn the language in which they are performed, and not to have good assumption of himself before he receives a witness in his favor from the scholars of Arabic, that he is eligible to reflect upon them, nor to depend on his personal opinion in the problematic and abstruse questions, which he does not encompass in

knowledge, without asking about them those endowed with knowledge of them. If he follows those guidelines constantly, he, Allah willing, will comply with the tradition on which The Messenger of Allah "peace be upon him" and his generous Companions were.

It is narrated on the authority of 'Abdullah Ibn 'Umar "Allah be pleased with them" that he said: We said: "O Messenger of Allah! Who is the best of people?" he said: "The man of an attentive heart and truthful speech." We said: "We know the one of the true speech. Who is then the one of the attentive heart?" he said: "He is the righteous and pure, who is neither a sinful nor an envier." We said: "Who is next to him in rank?" he said: "The one who forgets the world and loves the hereafter." We said: "We do not know that man among us but Rafi', the freed-slave of The Messenger of Allah "peace be upon him"." we further said: "Then, who is next to him in rank?" he said: "A faithful believer of good moral character." We said: "As for this, such is among us."

It is narrated that The Messenger of Allah "peace be upon him" received a man who said: "O Messenger of Allah! Could a man (husband) procrastinate (in payment of the debt of) his wife?" he said: "Yes, esp. when he is pitiable." On that Abu Bakr "Allah be pleased with him" said to him: "What have you said, and what has this man said, O Messenger of Allah, may Allah bless you and grant you peace?" he said: "He asked: 'Could a man defer his debt due to his wife?' I said to him: 'Yes, esp. when he is a poor.'" On that Abu Bakr "Allah be pleased with him" said: "I have never seen anyone more eloquent than you O Messenger of Allah." He said: "Why not given that I am from the Quraish people, and I have been fostered in the tribe of Banu Sa'd."⁽¹⁾

Those evidences indicate to the fact that many words of language skip some Arabs, in which case, it is due to ask about them, just as the predecessors had done. In this way, one will follow the same approach they had adopted, otherwise, he will slip and say in Shari'ah depending upon his opinion rather than its own language.

Now, let us present six examples for that:

The first is the statement of Jabir Al-Ja'fi concerning the statement of Allah Almighty: **{The leader among them said: "Know you not that your father did take an oath from you in Allah's name, and how before this, you did fail in your duty with Joseph? Therefore will I not leave this land until my father permits me.}** [Yusuf 80] he states that the interpretation of this Holy Verse has not come true yet. But even, he has told a lie, for he intended thereby the opinion of Ar-Rafidah, according to which, 'Ali "Allah be pleased with him" is in the cloud, and thus no one should come out along with those who set out in support of his grandson until 'Ali calls from over the sky: 'Come out with so and so'. That is the interpretation of His saying: **{Therefore**

(1) It is narrated on the authority of Al-Hasan Ibn Abu Al-Hasan. See Al-Muharrar Al-Wajiz, 5:477.

will I not leave this land until my father permits me.} The significance of the Quranic Verse according to Jabir, as stated by Sufyan, is that this has not come yet.

This Quranic Verse was revealed in connection with the brothers of Yusuf "peace be upon him" according to the introduction of Sahih Muslim. No one of sound mind could have doubt that the Quranic context confirms the opinion of Sufyan, and contradicts that of Jabir.

The second: is the claim of those who allege that the man could marry as many as nine of the free women, attesting that with the statement of Allah Almighty: **{marry women of your choice, two, or three, or four.}** [An-Nisa' 3] According to their interpretation, two plus three plus four equal nine. But even, this interpretation does not understand the adjunct correctly in the Arabic speech, according to which the meaning is to marry, if you like, two, or (rather than and) three, or (rather than and) four, according to the formula of replacement rather than of addition.

The third: is the claim of those who allege that what is prohibited of the swine is only the flesh, rather than the fat which is lawful. That is because the Qur'an, according to their claim, prohibited the flesh rather than the fat. but, had such known that the flesh includes also the fat, unlike the fat which does not include the flesh, he would not have said what he said.

The fourth: is the claim of those who allege that all things, including even the Divine essence of the Creator Almighty, Exalted and Hallowed be Allah from what they say, will perish, except for the countenance, as confirmed by His saying: **{Everything (that exists) will perish except His own Face. To Him belongs the Command, and to Him will you (all) be brought back.}** [Al-Qasas 88] However, what is intended by the countenance here is quite different from what they say. The commentators have many interpretations in this respect. The purpose of this claim is not valid, neither in wording nor in meaning. The closest thing is to say to this poor that what is intended is the one of countenance, just as you say, for example: "I have done such and such for the countenance of so and so", i.e. for his sake. Thus, the meaning of the Quranic verse is that all things will perish except for He. A mention may be made here of Allah's saying: **{"We feed you for the sake of Allah alone: no reward do we desire from you, nor thanks.}** [Al-Insan 9] He also said: **{All that is on earth will perish.}** [Ar-Rahman 26]

The fifth: is the claim of those who claim that Allah Almighty has a side, attesting their claim with His saying: **{Lest the soul should (then) say: 'Ah! woe is me! in that I neglected (my Duty) towards (lit. in the side of) Allah, and was but among those who mocked!}** [Az-Zumar 56] But even, the side here is of no significance at all, neither actually nor allegorically. The Arabs say, for example: "This is insignificant in comparison (lit. in the side of) that"; and the meaning is self-evident. That is indeed the same meaning of the Holy Quranic Verse. That is, alas for my negligence in what is between me and

Allah Almighty, should I compare my negligence against His command and forbiddance.

The sixth: is the claim of those who say about the statement of The Messenger of Allah "peace be upon him": "Do not abuse the time, since Allah Almighty is the time."⁽¹⁾ They claim that the Hadith supports the doctrine of the time worshippers. But the meaning is different: that is: do not abuse the time when you are afflicted by calamities, nor attribute them to it, because it is Allah Almighty rather than the time Who afflicts you with those calamities; and if you abuse the time, the abuse then will address the doer rather than the time itself. it was the habit of the Arabs during the pre-Islamic days to attribute the acts to the time, saying: "The time has afflicted him in his property", or "The evils of time have befallen him." thus, they attributed to the time everything decreed upon them by Allah Almighty, and thus abused the time saying: "May Allah curse the time", or "May Allah efface the time", and so. They abused it for the sake of the acts attributed to it. They indeed seem to abuse the doer himself; and the doer is Allah Alone. This means that they seem to abuse Him Almighty.

It seemed clear then, from those examples, how the mistake could take place, from the perspective of understanding Arabic, in the speech of Allah Almighty and the Sunnah of The Messenger of Allah "peace be upon him", which leads to the distortion of words from their right places. The Companions "Allah be pleased with them" were quite free from that. They were Arabs and did not need, in understanding the speech of Allah Almighty, to tools or learning. Then, those who came after them, who were not native Arab speaking, forced themselves against the difficulty to learn it, and joined them in understanding the Shari'ah, and interpreting it in according to its real meanings, like Salman Al-Farisi "Allah be pleased with him" and others. Those who imitated them and followed their ways in interpreting the Holy Book and the Sunnah according to the Arabic tongue, would belong to their majority, if they like to be of the men of Ijtihad,. Thus, they will be included in the saved sect.

(1) It is narrated on the authority of Abu Hurairah. See Sahih Al-Bukhari, Hadith no. 6181; Sahih Muslim Hadith no. 3:2246; Sunan An-Nasa'I, Hadith no. 11487; Sunan Al-Baihaqi, Hadith no. 6283; Ahmad in his Musnad, Hadith no. 9126, 10372; 10442, 10484, 10586, 22605, 22607; Al-Mu'jam Al-Kabir, At-Tabarani, Hadith no. 637; Kanz Al-'Ummal, Hadith no. 8141, 8142.

2.10. The Second Kind: Ignorance Of Purposes

Allah almighty sent down the Shari'ah upon his Messenger "peace be upon him" in which there is the explication and clarification of all things, needed by the people in their obligations enjoined upon them, and their acts of worship due upon them. The Messenger of Allah "peace be upon him" did not die before the religion was made perfect, by witness of Allah Almighty as He stated: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma'idah 3] whoever claims then that the religion has not been perfect yet, has told a lie, because Allah Almighty said: **{This day have I perfected your religion for you.}**

It should not be said: we have found of new events and incidents what is not stated, by text, in the Holy Book and the Prophetic Sunnah, or is included under a general principle, like, for instance, such issues as the grandfather in the field of the obligatory shares of inheritance, making unlawful one's wife in the field of divorce, or the other Ijtihad-dependent issues in which there is no text in the Book and Sunnah: where should we find talk about them?

In reply to this, let us say: first of all, if it is intended by Allah's saying **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion}** the issue details rather than the universal principles, as regards the incidents and events, then, you will be right in your opinion. But what is intended is only the universal principles. There is no rule in the religion required in the essential necessities, needs and supplementary but that it has been clarified most perfectly; and to apply the issue details to those universal principles still remains to be entrusted to the reasoning of the Mujtahid. The rule of Ijtihad is well-established in the Book and the Sunnah, and should be enforced rather than abandoned by the Muslims. It is proven, in Shari'ah, that there is way for Ijtihad, but only in those issues not addressed by the Islamic text. Had the perfection in the issue details been intended by the Quranic Verse, then, it should be known that the issue details are infinite and could hardly been enumerated in a statement whatsoever. That is the opinion of the scholars. what is intended thereby is the perfection in the needed universal rules, to which limitless issues could be applied.

Second: understanding its perfection in terms of the issue details inevitably leads to ambiguity and confusion, otherwise, it is this which led to raising this question. Were the asker to consider the state in which the Shari'ah is made, i.e. the state of universality, he would not have raised his question. That is because it is made on the basis of the eternity, even though the world

on the basis of expiry.

As for the issue details, they are made on the basis of the possible enumeration, which gives the false impression that they are imperfect, thereby contradicting the statement of Allah Almighty: **{This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion.}** [Al-Ma'idah 3] and: **{and We have sent down to you a Book explaining all things, a Guide, a Mercy, and Glad Tidings to Muslims.}** [An-Nahl 89] No doubt, Allah Almighty is true in His speech, and anything contradicting it is not so. It seems then that the Holy Verse, regardless of being general and absolute in implication, gives the impression of perfection, and that the new incidents do not affect the validity of that perfection, because they are either necessary or unnecessary. If they are needed, they then are the Ijtihad-dependent issues which correspond with the Shari'ah fundamentals, and their rulings have already been mentioned, and nothing remains but the Mujtahid's opinion as to which proof he will support his argument. If they are unnecessary, they are then the new invented religious innovations. Were they to be needed, they would have been mentioned in Shari'ah. But that no mention is made of them, and there is no proof for them in it, as has previously been mentioned, means that they are unnecessary. Anyway, the religion has been perfected, all praise be to Allah.

The evidence for the fact that it is this meaning which the Companions "Allah be pleased with them" understood is that no report is made of anyone of them to have raised such a question, nor did anyone of them ask: Why has the judgment pertaining to the inheritance of the grandfather not been joined with the brothers? Why has the judgment of making unlawful one's wife (not been included in the field of divorce)? A mention may be made of things like this for which they found no text stipulated by the lawgiver. They indeed judged such things depending upon reasoning,, and took consideration by Shari'ah-based meanings which go back to the Book and the Sunnah, and although they did not state that by text, they did by meaning. In this way, it has become clear how the religion is perfect.

Now, let us move to another concept. Verily, Allah Almighty sent down the Qur'an, completely free from inconsistency and opposition, in order that people would reflect upon it and take consideration from it perfectly. He Almighty said: **{Do they not consider the Qur'an (with care)? Had it been from other than Allah, they would surely have found therein much discrepancy.}** [An-Nisa' 82] The Quranic Holy Verse indicates that it is completely free from inconsistency. Its parts, to be sure, confirm and strengthen each other, in terms of wording and meaning.

As far as the wording is concerned, the eloquence in the Qur'an is regularly contiguous, unlike the human speech, which implies much discrepancy. A man does not begin his speech with articulate and elegant words and concludes it before it has something in the middle which reduces its

eloquence. Similarly, the one poem may have a part very eloquent and a part less elaborate, and so on.

As far as the meaning is concerned, no doubt, the meanings of the Qur'an, regardless of being so much and repeated, as required by the context, always achieve the desired purpose with neither inconsistency, nor contradiction nor opposition, in a way that is beyond the capacity of the human beings to imitate. For this reason, when it was heard by the Arabs, the men of eloquence and rhetoric, they did not contradict it, nor did they alter its inimitability even in the least, as related by Allah Almighty, given their being the keenest on contradicting and criticizing it. When they embraced Islam, previewed its meanings, and meditated its wonders, their search but increased their insight about the fact that it has neither discrepancy nor opposition. However, only a few things have been transmitted in this respect, in which they paused like the reflective pause of the guidance seeker, in order to be guided to the right, or like the pause of the one seeking to be certain of the way.

It is narrated on the authority of Sahl Ibn Hunaif saying on the day of (the battle of) Siffin: "O People! Blame your opinions (and do not regard me a coward). I saw myself on the day of Abu Jandal (tending to fight), and if I had the power of refusing the order of The Messenger of Allah "Allah's blessing and peace be upon him" then, I would have refused it (in order to fight the pagans bravely). By Allah! Whenever we put our swords on our shoulders for any matter whatever difficult it might be, they would make easy for us to achieve the goal we expected except the present situation (of Siffin in view of disagreement and dispute between Muslims)." ⁽¹⁾

The evidence in this Hadith is taken from two statements: first: his statement: "O People! Blame your opinions": no doubt, the opposition of phenomena, more often, is a groundless opinion. The other is his statement, which is the point in issue: "Whenever we put our swords on our shoulders for any matter whatever difficult it might be, they would make easy for us to achieve the goal we expected..." it means that everything occurs to them in the religion of Allah Almighty is the truth, regardless of its conflicting with the opinion, and it seems authentic gradually until that opinion proves invalid, if not an allegation and a confusion to which no attention had to be given: on the contrary, it should be accused, first, and what is reliable only is what has been brought in Shari'ah: if it does not seem at present, it will become clear in the future; and even if it, supposedly, does not become clear at all, there will be no blame, as one (by following it) holds fast to the most trustworthy hanthold.

It is narrated on the authority of Umar Ibn Al-Khattab that he said: I

(1) Sahih Muslim, Hadith no. 95-1785; Sahih Al-Bukhari, Hadith no. 3180; Sunan Ad-Darimi, Hadith no. 649; Musnad Ahmad, Hadith no. 16017; Al-Mu'jam Al-Kabir, Hadith no. 5601, 5605.

heard Hisham Ibn Hakim Ibn Hizam reciting The Surah of The Criterion “Al-Furqan” in a way different from that of mine, which The Messenger of Allah “Allah’s blessing and peace be upon him” taught to me. So, I was about to jump upon him (during the prayer) but I waited till he finished, then I tied his garment round his neck by which I seized and brought him to The Messenger of Allah “Allah’s blessing and peace be upon him” and said: “I have heard that (man) reciting The Surah of The Criterion “Al-Furqan” in a way different from the way you taught to me”. The Prophet “Allah’s blessing and peace be upon him” ordered me: “Release him”. He asked Hisham to recite it. When he recited it in the same way I had heard from him, The Messenger of Allah “Allah’s blessing and peace be upon him” said: “It was revealed in this way”. He then asked me to recite it. When I recited it, he said: “It was revealed in this way. The Qur’an has been revealed in seven different modes of recitation, so recite it in the way that is easier for you.”⁽¹⁾

This question was a problem in which some Companions fell in transmitting the items of Shari’ah, for which they received the answer from The Messenger of Allah “peace be upon him”. but even, it was not an evidence at all for the fact that there is difference in it. The difference among these competent for the religious assignments over some of the religion’s meanings or issues does not require that it should have a difference in itself. the nations were different over the Prophets, even though it was not evidence that there was difference in the Prophets themselves. There is also difference over many issues of monotheism. But their difference was not an evidence for the difference in that over which they differed. The same is true of our point in issue.

Being so, it is then right to say that the Qur’an in itself has no difference. Then, let us build another concept on that. Since the Qur’an seems to be completely free from difference, it is valid to be a judge between all the disputants, because it decides the meaning of the truth, and the truth does not differ in itself. the Qur’an regulates all differences in which the men competent for religious assignments fall. In confirmation of that, Allah Almighty said: **{If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa’ 59] This Holy Verse and its like⁽²⁾ are clear in determining the fact that all disputes and differences

(1) Sahih Al-Bukhari, Hadith no. 2419, 4992, 5041, 6936, 7550; Sahih Muslim, Hadith no. 270:818; Sunan Abu Dawud, Hadith no. 1475; Sunan At-Tirmithi, Hadith no. 2943; Sunan Al-Baihaqi, Hadith no. 2668, 3799; Sunan An-Nasa’i Al-Kubra, Hadith no. 937, 1009, 7985, 11366; Musnad Ahmad, Hadith no. 296.

(2) He means Allah’s saying: {Mankind was one single nation, and Allah sent Messengers with glad tidings and warnings; and with them He sent the Book in truth, to judge between people in matters wherein they differed; but the People of the Book, after the Clear Signs came to them, did not differ among themselves, except through selfish contumacy. Allah by His Grace guided the Believers to the Truth, concerning that

should be referred to the Book of Allah Almighty and the Sunnah of His Prophet "peace be upon him". The Sunnah is an explanatory of the Book. It is evidence that the truth therein is very clear, and that the explication therein is satisfactory to the utmost so much that nothing could do the same. That was the method of the Companions "Allah be pleased with them". Whenever they differed over an issue, they would refer it to the Book and the Sunnah. Their cases confirm that meaning, and well-known to those of jurisprudence. So, there is no benefit to bring them here because they are too famous.

Being so, two things are due upon the reflector on Shari'ah:

The first is to look at it with the eye of perfection rather than shortage, and regard it comprehensive in the customs and acts of worship, and not to go beyond it at all, because exceeding it results in misguidance and error: how, given that it has been proved perfect and complete? The one who adds to and reduces from it is, without restriction, the religious innovator, who deviates from the right course to the sideways.

The other is to be certain of the fact that there is no opposition between the Quranic Holy Verses, nor between the Prophetic stories and news, nor between both: on the contrary, all are at the same level of constancy and coherence, and confirm the same meaning. If the foolish assumes them to be different, it is due on him (the reflector) to think, certainly, that there is no difference at all, because Allah Almighty testifies that there is no difference in them. So, let him pause like the pause of the one forced by necessity to ask about the point of combination, or the one who admits that without objection. If the occasion pertains to a practical judgment, let him seek the way out until he gets the certain truth, otherwise, let him seek after it until death. If the significance seems clear to him, and the right path becomes evident to him, he should make it regulate all the cases he reflects, and put it before his eyes in every religious quest, as done by the righteous predecessors, among those praised by Allah Almighty.

Concerning the first, it is neglected by the religious innovators, because of which they claimed to amend the shortcomings of the Shari'ah. To it inclined all who tell lies about The Messenger of Allah "peace be upon him". so, whenever this fact is brought to the mind of anyone of them, and he is warned of the threats of punishment because of telling lies about him, he always says: I have not told lies about, in so much as for him.

It is related from Muhammad Ibn Sa'eed, known as the Jordanian, that he said: "If the speech is good, then, there will be no harm to invent a chain of narrators for it." For this reason, he used to invent stories. However, he was killed and crucified because of his atheism. Many examples have been

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wherein they differed. For Allah guides whom He will to a path that is straight.} [Al-Baqarah 213].

presented for this issue.

Concerning the other, it was also neglected by some people who did not meditate it deeply until they came to understand the Qur'an and the Sunnah differently, thereupon they referred to it according to their different understanding, by means of putting to consideration their good assumption. It is that criticized by The Messenger of Allah "peace be upon him" in the Khawarij, when he said: "They will recite the Qur'an, and it will not go beyond their throats." He thus ascribed them to misunderstanding of the Qur'an. At that point, they rebelled against the Muslims, and said: "The command lies only with Allah, and the men have judged in the religion of Allah." But the tutor of the Qur'an, Ibn 'Abbas "Allah be pleased with them" clarified to them the meaning of Allah's saying: **{Verily, the command lies only with Allah}** [Al-An'am 57] in a way that led to the submission of nearly 2,000 or so, who returned to the truth. But the others persisted in their obstinacy, dependence, and Allah knows best, on the statement of those who said: "Neither debate nor dispute with him, because he is one of those in connection with whom Allah Almighty said: **{Nay! They are contentious disputants.}** [Az-Zukhruf 58]

Consider, may Allah bestow mercy upon you, how they understood the Qur'an. Then, this problem continues to befall some people until they came to understand the Quranic Verses and the Prophetic Hadiths differently, and declaimed that before meditation.

Let us mention ten examples for this:

The first is the statement of him who said: there is contradiction between Allah's saying: **{And they will turn to one another, and question one another}** [As-Saffat 27; At-Tur 25] and Allah's saying: **{Then when the Trumpet is blown, there will be no more relationships between them that day, nor will one ask after another!}** [Al-Mu'minun 101]

The second is the allegation of him who says that Allah's saying: **{On that Day no question will be asked of man or Jinn as to his sin}** [Ar-Rahman 39] disagrees with His saying: **{They will bear their own burdens, and (other) burdens along with their own, and on the Day of Judgment they will be called to account for their falsehoods.}** [Al-'Ankabut 13] and His saying too: **{but you shall certainly be called to account for all your actions.}** [An-Nahl 93]

The third is the argument of him who says that there is contradiction between the following Quranic Holy Verses. Allah Almighty says: **{Say: "Is it that you deny Him Who created the earth in two Days? and do you join equals with Him? He is the Lord of (all) the Worlds." He set on the (earth). Mountains standing firm, high above it, and bestowed blessings on the earth, and measured therein all things to give them nourishment in due proportion, in four Days, in accordance with (the needs of) those who seek (sustenance). Moreover, He comprehended in His design the sky, and it had been (as) smoke: He said to it and to the earth: "Come**

you together, willingly or unwillingly." They said: "We do come (together), in willing obedience." So He completed them as seven firmaments in two Days and He assigned to each heaven its duty and command. And We adorned the lower heaven with lights, and (provided it) with guard. Such is the Decree of (Him) the Exalted in Might, Full of Knowledge.} [Fussilat 9-12] That is a clear statement that the earth was created between the heaven. He further says: **{What! Are you the more difficult to create or the heaven (above)? (Allah) has constructed it: On high has He raised its canopy, and He has given it order and perfection. Its night does He endow with darkness, and its splendour does He bring out (with light). And the earth, moreover, has He extended (to a wide expanse).}** [An-Nazi'at 27-30] Here, He Almighty states that the earth was created after the heaven.

Some of those questions were raised by Nafi' Ibn Al-Azraq, or others, to Ibn 'Abbas "Allah be pleased with them". It is narrated by Al-Bukhari in Al-Mu'allaqat on the authority of Sa'eed Ibn Jubair that he said: A man came to ask Ibn 'Abbas "Allah be pleased with them": "In the Qur'an, I find many Holy Verses which is too difficult for me to understand: Allah Almighty says: **{Then when the Trumpet is blown, there will be no more relationships between them that day, nor will one ask after another!}** [Al-Mu'minun 101] and: **{And they will turn to one another, and question one another.}** [As-Saffat 27] He further says: **{On that day those who reject Faith and disobey the Messenger will wish that the earth were made one with them: but never will they hide a single fact from Allah!}** [An-Nisa' 42] and: **{There will then be (left) no subterfuge for them but to say: "By Allah our Lord, we were not those who joined gods with Allah."}** [Al-An'am 23] in this Holy Verse, they concealed (the fact that they were really pagans). Allah further says: **{What! Are you the more difficult to create or the heaven (above)? (Allah) has constructed it: On high has He raised its canopy, and He has given it order and perfection; Its night does He endow with darkness, and its splendour does He bring out (with light); And the earth, moreover, has He extended (to a wide expanse); He draws out therefrom its moisture and its pasture.}** [An-Nazi'at 27:30] here, He mentions the creation of the heavens before the creation of the earth, unlike His saying, in which He mentions the creation of the earth before the creation of the heavens: **{Say: {Is it that you disbelieve in Him Who created the earth in two Days?...Moreover, He comprehended in His design the sky...Such is the Decree of (Allah) the Exalted in Might, Full of Knowledge.}** [Fussilat 9-12] Allah Almighty further says: **{And Allah was Oft-Forgiving, Most Merciful...Exalted in Might, All-Wise...All-Hearing, All-Seeing...}** He seems as if He was and then came to be nothing."

Ibn 'Abbas "Allah be pleased with them" commented: "Allah's statement

{there will be no more relationships between them that day, nor will one ask after another} refers to the first sounding of the Trumpet, therewith all the remaining inhabitants of both the heavens and the earth will swoon, except such as Allah wishes to exempt. In the second sounding of the Trumpet, **{they will turn to one another, and question one another.}**

As for His saying: **{but never will they hide a single fact from Allah!}** and: **{"By Allah our Lord, we were not those who joined gods with Allah"}**, it is that when Allah Almighty forgives for the believers their sins and mistakes, the disbelievers and pagans will call one another: "Let's say that never did we join others with Allah." At that moment, Allah will place a seal upon their mouths, and their hands and feet will then be made to speak; and this is why they could not hide a single fact from Allah Almighty: **{On that day those who reject Faith and disobey the Messenger will wish that the earth were made one with them: but never will they hide a single fact from Allah!}** [An-Nisa' 42]

As for His saying: **{He created the earth in two days...and completed them (heavens) seven firmaments in two days.}** i.e. two further days. Then, He extended the earth by bringing out therefrom its moisture and pasture. Then, He created the mountains (and camels), huge trees, etc, in two further days. That is the significance of His saying: **{And the earth, moreover, has He extended (to a wide expanse)}** and His saying too: **{He created the earth in two days.}** thus, the earth, along with its things, was created in four days; and the heavens in two days.

As for His saying: **{And Allah was Oft-Forgiving, Most Merciful...}** Those are Names He Almighty gave to Himself; and His saying confirms that He is still so. Verily, never Allah Almighty wanted anything but that He did it as He wanted. So, let not the Qur'an put you to misunderstanding because the whole of it is from Allah Almighty."⁽¹⁾

The fourth is the claim of him who says: The Messenger of Allah "peace be upon him" said: "When Allah Almighty created Adam "Peace be upon him", He passed His Right Hand over his back from which He drew forth the offspring of Adam He is to create to the Day of Judgment and then made them testify concerning themselves, (saying): "Am I not your Lord (Who cherishes and sustains you)?" they said: "Yea we do testify (this fact).""⁽²⁾ This Hadith (in their claim) disagrees with the statement of Allah Almighty: **{When your Lord drew forth from the Children of Adam from their loins, their descendants, and made them testify concerning themselves, (saying): "Am I not your Lord (Who cherishes and sustains you)?" They said:**

(1) Sahih Al-Bukhari 6:127; Al-Mu'jam Al-Kabir, At-Tabarani, Hadith no. 10594; Tafsir Ibn Kathir, 7:165; 'Umdat Al-Qari, 19:149; At-Tahrir Wat-Tanwir, 3:162, 18:125.

(2) Sunan Abu Dawud, Hadith no. 4703; Sunan At-Tirmithi, Hadith no. 3075, 3076; Malik in Al-Muwatta', Hadith no. 2; Ahmad in his Musnad, Hadith no. 21270; Al-Awsat, At-Tabarani, Hadith no. 8826.

"Yea! we do testify!" (this), lest you should say on the Day of Judgment: "Of this we were never mindful."} [Al-A'raf 172]

According to the Hadith, He drew them forth from the back of Adam "peace be upon him" whereas the Holy Book tells that He drew them forth from the loins of the descendants of the sons of Adam. When considered deeply, there is no difference between both, because there is a point of combination between them. That is to be drawn forth from the loin of Adam "peace be upon him" all at once, in the same order they were made to come to existence in this world. That is not impossible, i.e. to be taken out, children from fathers and grandfathers regardless of the sequence of time. In this way, both opinions are right, actually rather than allegorically.

The fifth is the argument of him who says concerning the disagreement of the following Hadith with the Holy Book. It is narrated on the authority of Abu Hurairah and Zaid Ibn Khalid Al-Juhni that they said: A Bedouin came and said: "O Messenger of Allah! I beseech you by Allah to judge between us according to Allah's Laws." His opponent got up and said: "He is right. Judge between us according to Allah's Laws." The Bedouin said: "My son was a laborer working for this man, with whose wife he committed illegal sexual intercourse. The people told me that my son should be stoned to death; so, in lieu of that, I paid a ransom of one hundred sheep and a slave girl to save my son. Then I asked the learned scholars who said: "Your son has to be whipped one-hundred lashes and exiled for one year." The Prophet "peace be upon him" said: "by Him in Whose Hand is my soul, I will judge between you according to Allah's Laws. The slave-girl and the sheep are to go back to you, and your son will get a hundred lashes and one year exile." He then addressed somebody: "O Unais! go to the wife of this (man) and stone her to death." So, Unais went and stoned her to death.⁽¹⁾

This differs from the Holy Book of Allah Almighty, because he said: "I will judge between you according to (the laws of) the Book of Allah." In reply to the asker; and then sentenced them to stoning to death and exile, and both are not mentioned in the Book of Allah.

The answer is that what caused the problem in this issue is the hyponym 'Book of Allah' mentioned in the Hadith. It is given to the Qur'an as well as to what is ordained by Allah in His presence, as regards His judgments and laws enjoined upon the servants, whether or not mentioned in the Holy Qur'an. He Almighty says: **{thus has Allah ordained upon you.}** [An-Nisa' 24] That is, what He has judged and enjoined upon you. All that is mentioned in the Qur'an belonging to His saying: **{thus has Allah ordained upon you}** means what He has obligated upon the people and judged by it. But it is not necessary

(1) Sahih Al-Bukhari, Hadith no. 2695-96; Sahih Muslim, Hadith no. 1697-98; Sunan Abu Dawud, Hadith no. 4445; Sunan At-Tirmithi, Hadith no. 1433; Sunan Ibn Majah, Hadith no. 2549; Sunan Ad-Darimi, Hadith no. 2317; Malik in his Muwatta', Hadith no. 18.

for such judgment to be mentioned in the Qur'an.

The sixth is the argument of him who claims that the statement of Allah Almighty concerning the slave-girls: **{when they are taken in wedlock, if they fall into shame, their punishment is half that for Muhsanat (free women).}** [An-Nisa' 25] They argue that it is incompatible with what is narrated in the Hadith that The Messenger of Allah "peace be upon him" stoned to death (the married who committed fornication), and so did the rulers after him. it requires that stoning to death could be divided; and that is unreasonable. Then, how should half of it be due on the slave-girls? However, they built their argument on their understanding that the term "Muhsanat" stands for the married women rather than the free women which is intended in the Holy Verse, as indicated from His saying in the beginning of the same Holy Verse: **{If any of you have not the means wherewith to wed free believing women, they may wed believing girls from among those whom your right hands possess.}** What is intended here is only the free women, because the married women could not be married.

The seventh is their argument that it is mentioned in the Prophetic Hadith that no woman should be combined in wedlock with her paternal/maternal aunt; and breastfeeding prohibits what is prohibited by blood-relations. On the other hand, when Allah Almighty made a mention of the women to be prohibited for marriage, He pointed out only the mother and sister concerning the breastfeeding, and both sisters concerning the combination in wedlock. Then, He said: **{except for these, all others are lawful, provided you seek (them in marriage) with gifts from your property, desiring chastity, not lust.}** [An-Nisa' 24] it requires that a woman may be combined in wedlock with her paternal/maternal aunt, and it is lawful to marry a woman of any breastfeeding relation other than the mother and the sister.

Nevertheless, those things are included under the construal of the general within the context of the particular, in which there is no opposition.

The eighth is the argument of him who says that the statement of The Messenger of Allah "peace be upon him": "Taking Ghusl (ritual bath) on Friday is due on everyone who has attained puberty"⁽¹⁾ contradicts His saying: "So, if one performs ablution (on Friday), that is good; and if one takes Ghusl, (it should be known that) taking Ghusl is better."⁽²⁾

What is intended by 'due' here is the confirmation so as not to give up the obligation. Thus, both Hadiths may agree in meaning.

The ninth is their argument that it is mentioned in the Hadith that

(1) Sahih Al-Bukhari, Hadith no. 879; Sahih Muslim, Hadith no. 846; Sunan Abu Dawud, Hadith no. 341; Sunan Ad-Darimi, Hadith no. 1537; Malik in.

(2) Sunan Abu Dawud, Hadith no. 354; Sunan At-Tirmithi, Hadith no. 497; Sunan Ad-Darimi, Hadith no. 1540.

"maintenance of kinship ties prolongs the lifetime."⁽¹⁾ On the other hand, Allah Almighty says: **{when their Term expires, they would not be able to delay it for a single hour, just as they would not be able to anticipate it (for a single hour).}** [An-Nahl 61] Then, how should the maintenance of kinship ties increase in the length of a term that could neither delayed nor anticipated even in the least by all means?

In reply to that, many answers were given, one of which is that it lies with the knowledge of Allah Almighty that if so and so maintains his kinship ties, he would live one hundred years; otherwise, he would live only eighty years, putting in mind that it lies with Allah's knowledge that he, inevitably, would do or would not do.

In both cases, if his term expires, he will not be able to delay nor anticipate it even for a single moment. That is the opinion of Ibn Qutaibah, and Al-Qarafi concurred.

The tenth is that it is narrated in a Prophet Hadith on the authority of 'A'ishah "Allah be pleased with her" that whenever The Messenger of Allah "peace be upon him" liked to sleep while being in the state of Janabah, he would perform ablution like the ablution he would perform for prayer.⁽²⁾ At the same time, it is narrated on the same authority in another version that (sometimes) The Messenger of Allah "peace be upon him" slept while being in the state of Janabah, without touching no water.⁽³⁾ That is a kind of dispute. Both Hadiths are narrated on the authority of 'A'ishah "Allah be pleased with her".

The answer is very simple. Both Hadiths indicate that both things are at liberty. If he does one of them more often, and does the other too more often, according to the formula "used to do", there would ensue that he "peace be upon him" would do if he so liked, and leave if he so liked. That is the favorable of acts. Thus, there is no opposition between both.

Those are ten examples indicating to the points of abstruseness. I have presented them putting in mind the certainty of faith. Everyone certain of Shari'ah believes that there is in it neither contradiction nor discrepancy. Whoever has such false impression has not investigated it in depth, nor estimated the revelation of Allah its due estimate. For this reason, Allah Almighty said: **{Do they not consider the Qur'an (with care)?}** here, He Almighty urged them to consider and reflect upon the meanings of the Qur'an.

(1) Al-Mu'jam Al-Kabir, Hadith no. 943, 8014; Al-Jami' Al-Kabir, As-Suyuti, Hadith no. 14995-96; Fa'id Al-Qadir, Hadith no. 5002; Musnad Ash-Shihab, Hadith no. 18; Kashf Al-Khafa', Hadith no. 1553.

(2) Sahih Al-Bukhari, Hadith no. 286-90; Sahih Muslim, Hadith no. 305-6; Abu Dawud, Hadith no. 222, 224, 225; Sunan At-Tirmithi, Hadith no. 120; Sunan Ibn Majah, Hadith no. 584-86.

(3) Sunan At-Tirmithi, Hadith no. 118; Sunan Ibn Majah, Hadith no. 581-83; Sunan Abu Dawud, Hadith no. 228; At-Tayalisi in his Musnad, Hadith no. 1397.

Then He said: **{Had it been from other than Allah, they would surely have found therein much discrepancy.}** [An-Nisa' 82] He clarified that it has no discrepancy. Reflection upon its meanings helps to give trust to what has been brought by it.

3.10. The Third Kind: To Have Good Assumption Of Mind

Allah Almighty set for minds, in their perception, a limit to which they exterminate, and could not go beyond. He did not make for them a way to perceive everything, and had they been so, they would have become equal to the perception of Allah, the Evolver, as to the knowledge of what was, what is and what will be, and what will be not. The knowledge of Allah Almighty is infinite, whereas the knowledge of man is limited; and by no means could the limited be equal to the infinite.

Those perceptibles include the things' essence, undetermined and detailed, as well as their attributes, states, acts, rulings, undetermined and detailed. The one thing is known by Allah Almighty perfectly and completely, in a way that nothing even an atom's weight skips His knowledge, neither in essence, nor in attribute, nor in states, nor in rulings, unlike the servant, whose knowledge of that very thing is short and incomplete, whether in essence, attributes, states or rulings. This character is visible in man, in which no experienced rational has doubt, if he considers it in himself.

The information with the scholars are divided into three divisions:

The first is necessary, that could hardly be doubtful, like man's knowledge of his existence, the fact that the two are more than one, that the two opposites could not gather together, and so.

The second division is not known to him unless he is made to know it or a way is made for him to know it, like the knowledge of things unseen by him, whether or not they belong to what he is used to know, like his knowledge of what is underneath his feet, save what is unseen by him under the ground, as deep as a span; his knowledge of the country that is far from him, of which he has no previous information; and his knowledge of what is in the heavens, the seas and oceans, and what is in Paradise and Hellfire, in detail. In this respect, his knowledge of that for which there is no evidence to guide him to it is quite impossible.

The third division is theoretical which could or could not possibly be known: I mean the theories. This (i.e. the theoretical division) includes the possible things which are known indirectly by a medium rather than directly by themselves, unless they are known by telling.

The men of reasoning pretend that the theories, in general, could not be agreed upon, due to the difference of the people's views and perspectives. If there is difference in them, there should be someone to tell about their real nature in themselves when needed. Had they not been in lack of telling, the knowledge of them would not have been held valid. The information, being

facts in themselves, do not differ by the difference of views. It is not that every investigator in them should be right, as known in the fundamentals. The right in them is only one, which could be identified only by evidence.

If two evidences oppose each other in the sight of the reflector, we then decide that one of them should be true and the other suspicious and unhelpful. Thus, it should be identified.

It should not be said that this is the opinion of the Imamate fans. We rather say that it is binding on all the people. The adoption of an infallible person other than The Messenger of Allah "peace be upon him" is lacking evidence, because there is no statement presented by the lawgiver that could remove any doubt. To prove it then is merely theoretical, in which there is dispute. Then, how should a dispute be settled by something disputable in itself? that is quite impossible.

Being so, we us return to our issue to say: the Shari'ah rulings, concerning the acts of these competent for religious assignments belong to the essential necessities, in general, regardless of their difference in the details of getting them.

As for the remaining divisions, they, i.e. the advocates of legislation depending upon the mind, state, in general, that they include theories, and those which are not indisputably known facts or theories. Those are the remaining divisions of which no origin is known except by means of telling. Telling concerning them is necessary, because the mind is not independent of knowing them. That is so, if we care for their opinion and help them in it. But if we do not abide by that, according to the opinions of the men of Sunnah, in our sight, it is better not to give the mind the authority of arbitration than to have a division not judged, putting in mind that everything, in their sight, should be judged. For this reason, we say: telling in this respect is needed. Thus, the mind is not independent of making divisions by itself. but they may argue that it is independent, because what is not judged may be regarded to be kept undecided, as is the opinion of some of them, or forbidden or permissible, as is the opinion of others.

It is the same whether they adopt the first or the second opinion, the mind is independent, at least in part, and dependent in part. However, that it is dependent in part does not mean that it is so absolutely.

In reply, let us say that it is dependent absolutely, because the fans of suspension recognize that it is dependent in part; and if it is proved dependent in one form, there ensues that it should be dependent absolutely. What is undecided by the mind confirms that it is dependent, and what is decided by it is theoretical (rather than practical), in which case a judgment is required, which is given only by way of telling.

The fans of decision reduce their opinions to the fact that the matter is merely theoretical, in which case, telling also is required. That is why he mind is not independent of perception of judgments before they are confirmed or

refuted by a teller.

They may argue that the indisputably known facts confirm the independence of the mind. In reply, let us say that even if we support your argument, it is of no harm to claim that it is dependent, because the news may come to correspond with what is perceived by the mind to evoke the attention of a heedless, guide a negligent, or awaken an overwhelmed by habits, who does not know that it is among the indisputably known facts, in which case, it is needed, and the mind should be evoked from outside.

That is indeed the benefit of sending the Messengers. You say that the good of truthfulness and faith, versus the evil of lying and disbelief are among the indisputably known facts; and Shari'ah has come to praise and enjoin the first, and dispraise and forbid the other. Had the mind been independent of such evocation, it would have led to what is impossible, i.e. that Shari'ah should tell something useless. But what happened guides us to the fact that the lawgiver evoked us to something the mind is too short to reveal. That is the first point.

The other point is that the mind is proved short of perception, and the knowledge it claims to perceive does not go beyond the Shari'ah rulings, which it may perceive in one form and way rather than another. The proof for this is taken from the states of the men of interruption of the series of Messengers, who enjoined judgments upon the servants as required by policies, which had no fundamental principle that could be consistent with the rules of Shari'ah. But they appreciated things which the minds, being enlightened by time, disapproved, criticized, and ascribed to ignorance, slander, foolishness and error. Nevertheless, they were recognized for knowing things which Shari'ah came to confirm and validate, and for being men of brilliant minds, pure visions, and worldly deep arrangements. But even, what they got of right was little (in comparison with the mistakes). That is the reason for warning and excusing, for which Allah sent **{Messengers who gave good news as well as warning, that mankind, after (the coming) of the Messengers, should have no plea against Allah: for Allah is Exalted in Power, Wise.}** [An-Nisa' 165] Verily, **{With Allah is the argument that reaches home: if it had been His Will, He could indeed have guided you all.}** [Al-An'am 149]

In sum, if man claims to have perceive something which he has fathomed thoroughly, of a surety, he discovers that no time comes upon him without knowing about it what he has not known before. This fact is visible in everyone, and it applies to all kinds of knowledge and pieces of information. Then, how should one claim independence with the Shari'ah rulings, given their being a part of the human's knowledge? There is no way to claim independence with any issue apart from Shari'ah. The accounts of it given by the lawgiver are consistent, having neither shortage, nor discrepancy, nor deficiency: on the contrary, their principles are set in accordance with the desired purposes; and that is the most perfect manifestation of wisdom.

A third point is that knowledge is divided into axiomatic, i.e. what is indisputably known, and non-axiomatic. As for the indisputably known, it may be acquired by a medium or without a medium. It is widely recognized that all acquired sciences are based on two acknowledged prepositions: if they are indisputably known facts, that is good, and if they are acquired, then, each of them needs, for its acquisition, two indisputably known facts, and so until we end up to two indisputably known facts. This means that we could not acquire the non-axiomatic without the indisputably known.

In sum, we acquire sciences on the basis of those two indisputably known facts, each of which is learnt from what we have perceived and sensed, whether internal like the pain, pleasure, or reason-based like our knowledge of our existence, the fact that two are more than one, that the two opposites could never gather together, and the like of those things we learn habitually in this abode (of this world). As for what is supernatural, before sending the Prophets, we had no knowledge of it. Had we remained in this state, we could have not been able to refer what we did not know but to what we knew, and, consequently, we would have denied the claim of the permissibility to turn the tree into an animal, and the animal into a stone, and the like of this. That is because what we knew of the previous natural things was opposed to this claim.

When the Prophets brought the supernatural events, like turning the staff into a snake, dividing the sea into two, giving life to the dead, healing the blind and leper, the springing of water from between the fingers, communicating with stones and trees, the splitting of the moon, etc, they were denied by those who insisted not to go beyond what is natural, and thought them to be out of magic and sorcery. Many are those supernatural events which seem impossible in terms of reason. But since they were brought by the Prophets “peace be upon them”, they proved to be possibly beyond reason, just as it is possible for one to turn from existence to no nonexistence, as well as he came out from no nonexistence to existence.

Henceforth, the habits, in principle, could possibly be beyond reason, because had it been impossible, they would not have been made beyond reason, neither for a Prophet nor for anyone else. That is why no one among the Prophets “peace be upon them” claimed to combine the opposites, or argue about the fact that two are more than one, even though all are the acts of Allah Almighty. This fact is agreed upon unanimously among the Muslims. Since this is possible for the staff, the sea, the tree, the stone, the finger, the leper, etc, it then is possibly applicable to all beings, under claim that what is possible for a thing could be possible for another like it.

Similarly, Shari‘ah made a mention of many accounts of the inhabitants of Paradise and the denizens of the Hellfire, that exceed the ordinary events we have (in this world). That man in Paradise eats and drinks, and, at the same time, neither excretes nor urinates, is not habitual; and that his sweat smells like

musk is also not habitual; and that the wives are always clean from menstruation, given their being in the age of the mature women who menstruate is also abnormal; and that man therein never sleeps nor is smitten by hunger and thirst forever is also not habitual; and that every time a fruit is plucked, it is recompensed with another immediately, and that it comes close to the hand of the collector once he has appetite for it is also not habitual; and that milk, wine and honey are rivers therein with neither milking, nor pressing nor gathering honey from the hives is also not habitual; and that the wine therein never intoxicates is also not habitual; and that if one uses all of this, he never gets filled, nor becomes plump or fat is also not habitual; and that no dirt nor filth comes out of his body through his ears, nose, anus, or any part of his body is also not habitual; and that anyone of the inhabitants of Paradise never grows old, nor is exposed to decrepitude nor dies nor becomes sick is also not habitual.

In the same way, if you look at the denizens of the Hellfire, may Allah save us from it, you find many like those abnormal events, such as the fact that the fire that burns him never devours him to death, as confirmed by Allah's saying: **{He will neither die therein nor live.}** [Al-A'la 13] The remaining states in which they are thus are supernatural.

Those are witnesses of the supernatural events which could be beyond reason. If a beholder takes consideration by this world, he will find many similitude for it which are not habitual. Here, a mention may be made of the debate that was between Khalid Ibn Yazid Ibn Mu'awiyah and a Christian priest in Sham, narrated by Ibn Wahb on the authority of Shu'aib Ibn Abu Sa'eed. There was a Christian priest in Sham, and he was one of their learned scholars. he used to come once a year, and the priests used to gather with him so that he would teach them what was abstruse upon them concerning their religious affairs. Khalid Ibn Yazid Ibn Mu'awiyah was one of those who went to him. the priest said to him: "Are you one of their (Muslims) learned scholars?" he said: "Among them, there is such as more learned than me." He asked him: "Do you not claim that in Paradise, you will eat and drink, and yet neither urinate nor excrete?" Khalid answered in the affirmative. The priest asked: "Do you know any similitude for this in the world?" Khalid said: "Yes. A babe in its mother's womb eats and drinks of her food and drink, and yet neither urinates nor excretes." The priest said: "Do you not say that you are not one of their learned men?" Khalid said: "Among them, there is such as more learned than me." He further asked: "Do you not claim that in Paradise, there will be fruits from which you will eat, and yet they will never decrease even in the least?" Khalid said: "Yes." The priest asked: "Do you know any similitude for this in the world?" Khalid said: "Yes. A book may be copied by all the people, and yet, it never decreases even in the least." The priest said: "Do you not say that you are not one of their learned men?" Khalid said: "Among them, there is such as more learned than me." Khalid said: Then, the

color of his (the priest's) face changed and said: "This (Khalid) belongs to a people who are given of good deeds as much as has never been given to anyone."

Based on this, it is right for the mind to imagine something normal to be abnormal, since it has origin in the reality, given that its being normal is not regular in all cases. The mind has no way to deny anything normal supposed by it to be abnormal. That is proven for many kinds of creation originated by Allah the Evolver. Furthermore, the mind could not separate, in this respect, particular kinds from others. According to it, this possibility is applicable to all the creatures. For this reason, some investigators said: Exalted be Allah Who associated the effects to their causes, and broke the rules of the course of natural events, in order that the Gnostics may make sense to this significance.

The wisdom lying behind the association of effects with their causes, and the breach of the rule of the course of the natural events requires two things for the rational:

The first is not to give the mind the authority of arbitration without restriction, even though it is subject to an absolute arbitrator, i.e. Shari'ah. Nay! It is due on him to give priority to what should be put forward, i.e. Shari'ah, over what should be relegated, i.e. the mind. That is because it is not right to give priority and authority of arbitration to the incomplete over the complete. That is indeed irrational and in opposition to the transmitted text. It is the reverse of that which corresponds with the evidences. For this reason, it is said: Put Shari'ah in your right hand, and the mind in your left hand, in order to highlight the fact that Shari'ah should be given priority over the mind.

The other is that if some news are brought in Shari'ah, which require to break the rule of the course of the natural events, it is not fit for the mind to deny that absolutely. It is up to it to treat it with one of two:

to give trust to it and entrust the knowledge of it to the one who knows it, in confirmation to what seems clear from the statement of Allah Almighty: **{But those firm in knowledge say, "We believe in it. All [of it] is from our Lord." And no one will be reminded except those of understanding.}** [Al 'Imran 7] He means the precise and entirely clear as well as the imprecise which is not entirely clear. It is not due on him to know it, and had it been binding upon him to know it, He would have made for him a way to know it, otherwise, it would be to bear a burden that is beyond one's capacity. No doubt, The Messenger of Allah "peace be upon him" said: "Verily, Allah removes from (the people of) my nation (whatever sins are committed by) mistake, forgetfulness, or that which they are forced to do under compulsion."⁽¹⁾

(1) It is narrated on the authority of Ibn 'Abbas. See Sunan Ibn Majah, Hadith no. 2043, 2045; Sahih Ibn Hibban, Hadith no. 1498; Al-Jami' As-Saghir, Hadith no. 4461; Ad-Durar, Hadith no. 233.

The other is to interpret it within the context of that according to which it may be construed, and admit what seems clear from it, because to reject it is, indeed, to reject the possible breach of the rules of the course of the natural events.

As such we should deal with all the attributes Allah Almighty gives to Himself. Whoever denies them rejects that they should be like the attributes of the creatures; and that is not the opinion of the majority. There remains only the dispute over the negation or affirmation of the attributes themselves. The affirmer affirms them on condition to reject the resemblance; whereas the rejecter who rejects that there should be an attribute not like the attributes of the creatures rejects to affirm anything not habitual.

Now, let us clarify the impossibility of giving mind the authority of arbitration over Shari'ah with ten examples:

The first is the matter of the Sirat (the bridge to be held across the Hellfire). It is a well-established fact, and crossing it is mentioned by the lawgiver. Of course, we give trust to that. But if it is as sharp as the sword's edge, then, how could man walk firmly on it? However, the habit may possibly be broken in a way that could enable man to walk firmly on it. Those who deny it take sides with the impossibility to break the rule of habits. But since there are transmitted text in support of this issue, it is more entitled that they should admit rather than reject it.

The second is the balance (of deeds). It could, possibly, be proved to be a correct balance as is fit for the hereafter in which the deeds are weighed extraordinarily. It is true that it is admitted, under reason, that the deeds themselves could not be weighed in the same way as the concrete things are habitually weighed. Furthermore, there is no transmitted text to support the claim that it is like the balance that is familiar to us in this world, or that it has the same weights, or that the deeds themselves are weighed like the concrete bodies. For this reason, it is more entitled to be taken for granted, as is the approach of the Companions "Allah be pleased with them". It is proven from them that they gave trust to the balance, without investigation on its nature and the way of weighing. Nothing different from that is proven from them concerning the Sirat. So, stick to it, since it is the approach of the Companions "Allah be pleased with them".

The third is the torment of the grave; and it is much easier. There is no denial, nor disapproval that the dead is punished in the grave, by having the soul restored to him temporarily, and then he is punished in a way that is beyond the capacity of the human beings to see or hear. Do you see how the would-be dead experiences the death agonies, and tells about the severe pains he is suffering even though no trace of this is visible upon him? so, why should we allow for the mind to stand against the trust in the statements of The Messenger of Allah "peace be upon him" in this respect?

The fourth is the angels' asking the dead, and making him sit in his grave.

If we construe that within the context of what is habitual in this world, it would be too abstruse to understand. It has already been mentioned that it is not right to give the mind the authority of arbitration absolutely, because it is very short and incomplete on the one hand, and it is possible to break the rule of the course of the natural events on the other hand, by opening the grave in order to make him sit in it, or anything else which the human mind could not encompass in knowledge.

The fifth is the scattering about of the books (in the hereafter), and reading them even by him who was illiterate in this world, and reading them even from behind one's back, in which case, it is possible to break the rule of the course of habits in a way that enables the mind to imagine it.

The sixth is to make the organs speak giving witness to their owner; and there is no difference between them and the stones and trees which testified the apostleship of The Messenger of Allah "peace be upon him".

The seventh is the possible vision of Allah Almighty in the hereafter, since there is no evidence, under reason, to indicate that there is no vision differently from our habitual way. Since it is affirmed in Shari'ah, there is no way but to give trust to it.

The eighth is the speech of Allah, the Evolver, which is denied by those who assume the speech to be only through sounds and letters, which is not consonant with the Majesty of the Evolver. His speech Almighty may be in a way different from what is normal, fit for the Majesty of the Lord Almighty. That is not impossible, under reason.

The ninth is the affirmation of the attributes, just like the speech. They are denied by those who have their own understanding of the constitution of the Divine Essence of Allah Almighty, according to which, He could not be only One in case they are affirmed to Him. that is the understanding of the mind, which is proved short in perception of the creatures: then, how should it not be proved short also in perception concerning its claim of the constitution of the attributes of the Creator Almighty? It is more right to affirm of attributes what is affirmed by the Creator to Himself, and, at the same time, admit His Oneness absolutely.

The tenth is to give mind the authority of arbitration concerning Allah Almighty, in such a way as to say: It is due on Him to send the Messengers, and it is due on Him to be righteous and what is more righteous is due on Him (than what is righteous), and it is due on Him to be courteous (to His servants)...to the end of those things. That is based on the principle previously mentioned, i.e. the habit to make things due on the servants, although it is obligatory to observe His statement: **{With Allah is the argument that reaches home: if it had been His Will, He could indeed have guided you all.}** [Al-An'am 149] and: **{Allah does command according to His Will and Plan.}** [Al-Ma'idah 1] and: **{(Where) Allah commands, there is no one to put back His command: and He is Swift in calling to account.}** [Ar-Ra'd

41] and: **{Lord of the Throne of Glory, Doer (without let) of all that He intends.}** [Al-Buruj 15-16]

There are many traditions indicative of the fact that the predecessors never gave their minds the authority of arbitration concerning Allah's attributes and religious beliefs.

In sum, it is not due to give priority to mind over the Shari'ah, as it is means to give priority to it over Allah and His Messenger "peace be upon him". the right is to make the mind only comply with it.

Let us say that this is the method adopted by the Companions "Allah be pleased with them" and taken as their way to Paradise, thereupon they were able to cross successfully. Many things from their conducts and behaviors indicate to this fact, including:

No one of them denied what was brought of this: on the contrary, they admitted, and further submitted to the speech of Allah Almighty, and the words of The Messenger of Allah "peace be upon him", which they neither disagreed with nor contradicted. Had there been anything like this, it would have been handed down to us, as was the case with everything relating to their conduct, and the arguments and debates that broke up between them over many of the Shari'ah rulings and issues. That nothing like this has been handed down to us indicates that they believed in it, and admitted it as it was without inquiry or questioning.

According to Malik Ibn Anas, "The talk in theology is disliked by me as well as by the men of our city, who continued to forbid it, such as the talk about the opinions of Jam and Anti-Fatalists. However, I like to talk only about what pertains to the deed. But as for the talk in theology and Allah Almighty (i.e. His Divine Essence and attributes), to keep silence is dearer to me. That is because I have seen the men of our city forbidding to talk in any of those issues unless it pertains to the deed."

Ibn 'Abd-Al-Barr said: "Malik "may Allah have mercy upon him" showed that to talk in things pertaining to the deed is permissible to him as well as to those of his city, i.e. the learned scholars, and told that the talk in theology, such as Allah's Divine Names and attributes, was unfavorable, like the opinions of Jahm and the Anti-Fatalists...verily, the opinion of Malik is adopted by almost all the jurisprudents and scholars of Hadith, in the past and the modern times, and no one disagreed with that except the religious innovators. But the established community agrees with the opinion of Malik, unless one is forced, by necessity, to talk: if he has the hope to avert the falsehood and divert one from his wrong opinion, or feels afraid of the spread of a public error, he then should not keep silent."

Yunus Ibn 'Abd-Al-A'la said: Ash-Shafi'i told me when Hafs Al-Fard⁽¹⁾

(1) A scholastic theologian belonging to the Mu'tazilah, who learnt jurisprudence from Abu Yusuf, the disciple of Abu Hanifah An-Nu'man.

debated with him: "O Abu Musa! That Allah Almighty meets a servant having committed all sins except polytheism is better for him than to meet him having believed in anything of scholastic theology. No doubt, I heard from Hafs words which I could not repeat."

Ahmad Ibn Hanbal said: "By no means would the scholastic theologian ever succeed, and almost no one ever raises so many questions but that there is evil in his heart."

Al-Hasan Ibn Ziyad Al-Halawi was asked about Zufar Ibn Al-Huthail: "Did he use to talk in theology?" he said: "Exalted be Allah! How foolish are you! I have never seen that our grand Shaykhs, such as Zufar, Abu Yusuf and Abu Hanifah and those whom we sat with and took from, had no concern but with jurisprudence, and imitating those who preceded them."

According to Ibn 'Abd-Al-Barr, "there is consensus, among the men of jurisprudence and traditions in all provinces and regions, on the fact that the religious innovators are men of deviation and inclination (from the truth), and not regarded among the considered scholars in all countries. The scholars are only those of tradition who understand it well, in which some of them are superior to others by agreement, and the capability of discrimination and comprehension."

It is narrated on the authority of Abu Az-Zinad⁽¹⁾ that he said: "By Allah! We used to pick up the items of Sunnah from the reliable men of jurisprudence and learn them just in the same way as we learn the Quranic Holy Verses. Those whom we have caught, of jurisprudents and learned scholars continued to criticize the debaters and investigators of theology, who depend on their personal opinions, and forbid the people to sit with them, and severely warn us of approaching them, and tell us that they were men of error and distortion of the real meaning of the Holy Book of Allah and the Sunnah of His Messenger The Messenger of Allah "peace be upon him". The Messenger of Allah "peace be upon him" did not die before he disapproved of the questions (so much about the religious affairs) and investigation (in the theological matters), and warned the Muslims of it more than once. In this connection, he "peace be upon him" said: "Just (stick to my orders and) abandon (asking) me so long as I left you (and did not order you to do a certain thing). However, those who were before you were destroyed for their excessive questions, and their disputes with their Prophets. So when I order you to do anything, do it as much as is within your power, and when I forbid you to do anything, then leave it."⁽²⁾

It is narrated on the authority of 'Umar Ibn Al-Khattab "Allah be pleased

(1) Shatharat Ath-Thahab, 1:182; At-Taqrīb, 1:413.

(2) It is narrated on the authority of Abu Hurairah. See Sahih Al-Bukhari, Hadith no. 7288; Sahih Muslim, Hadith no. 1337; Sunan An-Nasa'i, Hadith no. 2619, 3598; Sunan Ibn Majah, Hadith no. 2; Musnad Ahmad, Hadith no. 7361, 7492, 8129, 9519, 9888, 10029, 10260, 10434, 10615, 10716; Sunan Al-Baihaqi, Hadith no. 8003, 13368, 13371.

with him" that he said: "Safeguard yourself against the punishment of Allah concerning your religion." According to Sahnun, He means you should desist from disputation in it.

It is narrated by Ibn Wahb, that he further said: "The men of independent opinions are the enemies of Sunnah. The Sunnah was too difficult upon them to memorize, and skipped them so much that they failed to comprehend as it should be. Therefore, they felt shy, when asked, to say 'We do not know', thereupon they invented their independent opinions against the Sunnah. So, beware and beware of them."⁽¹⁾

Abu Bakr Ibn Abu Dawud⁽²⁾ said: "The men of independent opinions are those of religious innovations."⁽³⁾

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" that he said: "Indeed, those who were before you had been ruined when their paths varied and they deviated from the right way, left the tradition and explained the religion depending upon their own opinion, thereby went astray and misled the people."⁽⁴⁾

It is narrated on the authority of Masruq⁽⁵⁾ that he said: "He, who turns away from the command of Allah, depending upon his independent opinion will, inevitably, go astray.

It is also narrated by Ibn Wahb on the authority of Hisham Ibn 'Urwah⁽⁶⁾ from his father that he said: "Stick to the acts of Sunnah! Abide by the acts of Sunnah! No doubt, the acts of Sunnah represent the substance of religion." He further said: "The matter of the children of Israel remained straight until the coming of the Muwalladun, i.e. those born from the female-slave captives taken from the other (conquered) nations, who, in turn, led them depending upon their own opinion, thereupon they misguided the children of Israel."⁽⁷⁾

Those traditions and their likes indicate to the condemnation of giving priority to mind reflection over the transmitted Hadiths of The Messenger of Allah "peace be upon him".

According to many scholars, the opinions condemned in the traditions mentioned above address the invented religious innovations in the creed, like the opinions of Abu Jam⁽⁸⁾ and the other scholastic theologians, who functioned their analogisms and minds to reject the Hadiths. They went as far as to say that it is impermissible for anyone to see Allah in the hereafter, depending upon the Quranic statement of Allah Almighty: **{No vision can**

(1) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

(2) Shatharat Ath-Thahab, 2:168-273; At-Tathkirah, 2:768.

(3) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:135.

(4) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:137.

(5) Al-Jarh Wat-Ta'dil, 8:396; At-Taqrif, 2:242.

(6) At-Taqrif, 2:319; At-Tathkirah, 1:144.

(7) Jami' Bayan Al-'ilm, Ibn 'Abd-Al-Barr, 2:136.

(8) Jahm Ibn Safwan, to whom the Jahmiyyah belongs, a sect of religious innovations.

grasp Him. But His grasp is over all vision: He is above all comprehension, yet is acquainted with all things.} [Al-An'am 103] Thus, they rejected the statement of The Messenger of Allah "peace be upon him": "Verily, you will see your Lord on the Day of Judgment."⁽¹⁾ They also interpreted the statement of Allah Almighty: **{Some faces, that Day, will beam (in brightness and beauty); Looking towards their Lord.}** [Al-Qiyamah 22-23]

They also said that it is impermissible for the dead to be questioned in the grave, due to the statement of Allah Almighty: **{They will say: "Our Lord! twice have You made us without life, and twice have You given us Life! now have we recognized our sins: is there any way out (of this)?"}** [Ghafir 11] they thus rejected the contiguous Hadiths narrated about the punishment and affliction of the grave, and also of intercession. They argue that no one who has entered the Hellfire will come out of it. They also say that they know neither a Lake-Fount nor a balance (of deeds), nor could they perceive any of those with their minds. They, depending upon their personal opinions and analogism, rejected the items of Sunnah in those and other issues.

According to others, the condemned opinion is the innovated one, and its likes from among the condemned religious innovations. This statement is more general than the previous. The previous is specific to the creeds and beliefs, whereas this extends to include also the acts and practices.

According to many others, Ibn 'Abd-Al-Barr, representing the majority of scholars, said that those intended here are the ones who give their opinions in Shari'ah depending upon their reason-based appreciations and assumptions of things, engagement in memorization of the problematic affairs, and reduction of branches to each other rather than to their fundamental principles, giving priority, in all of this, to the independent opinion. Of course, this leads to making idle the acts of Sunnah, and taking the ignorance of it as excuse.

This statement is almost like the previous ones, except that this is forbidden for its reliance on the condemned opinion, which is the opposition of the text-based Sunnah. If one does not search for the acts of Sunnah in view of ignorance of them, he would be in need for the opinion, which causes him to join these who opposed the acts of Sunnah. All this goes back to the same meaning, which is to act upon the mental reflection, and discard the items of Sunnah, either intentionally or by mistake and ignorance. To be sure, if the opinion opposes the acts and items of Sunnah, it is a religious innovation and an error.

In sum, the Companions and those who succeeded them did not oppose

(1) Sahih Al-Bukhari, Hadith no. 554, 573, 806, 4581, 4851, 7434-37; Sahih Muslim, Hadith no. 182, 183; Sunan Abu Dawud, Hadith no. 4729, 4730; Sunan At-Tirmithi, Hadith no. 2549, 2551, 2554, 3105, 3106; Sunan Ibn Majah, Hadith no. 177, 178, 179, 185, 186, 187; Sunan Ad-Darimi, Hadith no. 2801; Al-Kubra of An-Nasa'I, , Hadith no. 7713, 7715, 7761, 7763; Musnad Ahmad, Hadith no. 11135, 11143.

the acts and items of Sunnah depending upon their personal opinions, whether or not they learnt their meaning, and whether or not they agreed with their habits and customs; and this is what is required from transmitting them, in which one should take heed of those who give priority to the incomplete, i.e. the mind, over the perfect, i.e. the Shari'ah.

May Allah bestow mercy upon Ar-Rabie' Ibn Khuthaim⁽¹⁾ who said on this occasion: "O servant of Allah! Praise Allah Almighty for the knowledge He teaches you in His Book, and entrust what He favors Himself with apart from you to the One Who knows it well, and do not be a pretender, because Allah addresses His Prophet "peace be upon him" saying: **{Say: "No reward do I ask of you for this (Qur'an), nor am I a pretender.}** [Sad 86]

It is narrated on the authority of Ma'mar Ibn Sulaiman⁽²⁾ from Ja'far from a learned scholar belonging to Medina that he said: "No doubt, Allah Almighty has knowledge which He taught to the people, and knowledge which He favored Himself with apart from the people. Whoever pretends to have the knowledge which He has not taught to the people will become but farther from it; and the knowledge of fate belongs to that kind."

According to Al-Awza'i, both Makhul⁽³⁾ and Az-Zuhri⁽⁴⁾ said: "Take the Hadiths as they were brought, and do not debate each other over them." The same is handed down from Malik, Al-Awza'i, Sufyan Ibn Sa'eed, Sufyan Ibn 'Uyainah, and Ma'mar Ibn Rashid, that they took the Hadiths of Allah's Divine attributes and those of the fate as they were brought by the Prophet; and the statement of Malik, as regards asking about the way of Allah's well-establishment (on the Throne of Majesty) is famous in this respect.

All of this goes back to the same meaning. That is, the Holy statement of Allah Almighty: **{It is He who has sent down to you, [O Muhammad], the Book; in it are verses [that are] precise - they are the foundation of the Book - and others unspecific. As for those in whose hearts is deviation [from truth], they will follow that of it which is unspecific, seeking discord and seeking an interpretation [suitable to them]. And no one knows its [true] interpretation except Allah. But those firm in knowledge say, "We believe in it. All [of it] is from our Lord." And no one will be reminded except those of understanding.}** [Al 'Imran 7] in other words, what does not agree with the habitual understanding belongs to the unspecific; and to stop from argumentation over it is closer to the conduct of the Companions who imitated The Messenger of Allah "peace be upon him". were they to follow their personal opinions, they would have neither condemned nor forbidden it. That is because no one approves a way to follow and, at the

(1) At-Taqrīb, 1:244, Al-Jarh Wat-Ta'dil, 3:459.

(2) Shatharat Ath-Thahab, 1:329; Al-Jarh Wat-Ta'dil, 8:372.

(3) At-Taqrīb, 2:207, 273; At-Tathkirah, 1:107, 108.

(4) At-Taqrīb, 2:207; At-Tathkirah, 1:108.

same time, forbids others to follow it, given that they are the model for the ummah to emulate, by consensus of all the Muslims.

It is narrated on the authority of Al-Hasan "may Allah have mercy upon him" that a mention was made to him, in a gathering, of the Companions of The Messenger of Allah "peace be upon him", thereupon he said: "No doubt, from among this ummah they had the most righteous hearts, the deepest knowledge, and were the farthest from ostentation. They were chosen by Allah Almighty for the company of His Messenger "peace be upon him". so, copy their good manners and ways, because they are, by the Lord of the Ka'bah, on the straight path."

It is narrated through another chain of transmitters that he "Allah be pleased with him" used to enter the mosque and stand facing the people and say: "O assembly of Reciters (of the Qur'an)! Follow the straight path, for if you follow it, you have taken a great lead (to good), but if you deviate right or left, then you will go astray far away."

It is narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he said: "If anyone of you is to imitate, then, let him imitate the Companions of Muhammad "peace be upon him", because they had the most righteous hearts, the deepest knowledge, were the farthest from ostentation, and endowed with the straightest guidance and the best manners. They were chosen by Allah Almighty for the company of His Messenger "peace be upon him", and establishment of His religion. So, acknowledge their favor, and follow them in their traditions, because they were on the straight guidance."⁽¹⁾

The traditions in this respect are numerous, all of which indicate that it is necessary to emulate them and follow their way in whichever state, because it is the way of salvation, as confirmed by his statement in the Hadith of the deviant sects, in which he "peace be upon him" said: "(The saved sect is the one which follows) that adopted by me and my Companions."

(1) Tafsir Al-Qurtubi, 1:60; As-Silsilah As-Sahihah, 6:147; Jami' Bayan Al-'Ilm, Ibn 'Abd-Al-Barr, 2:97.

4.10. The Fourth Kind: To Follow The Inclination

It is a well-known fact that Shari'ah is set to turn the one competent for religious assignments from his inclination, so that he would be a servant of Allah Almighty – a fact decided in the department of purposes in Kitab Al-Muwafaqat, but in general terms fit for the fundamentals. So, one could come across it there if he so likes.

The ways of this issue are too various and numerous to encompass here totally. So, let us satisfy ourselves only with one as representative of all.

Diversification of the ways and the fact that Shari'ah is an argument against all the people

It should be known to you that Allah Almighty has ordained this Shari'ah to be an argument against all the people, be they old or young, obedient or disobedient, righteous or wicked, and has not specified it to a people apart from others. The same is true of the other laws ordained to be an argument against the nations and peoples to whom they were revealed, including, without doubt, the Messengers “peace be upon them”, who brought them, and were involved in their rulings and judgments.

Our Prophet Muhammad “peace be upon him” is addressed by it in all his states and affairs, whether those unique to him or common to him as well as his ummah. For instance, Allah Almighty said: **{O Prophet! We have made lawful to you your wives to whom you have paid their dowers; and those whom your right hand possesses out of the prisoners of war whom Allah has assigned to you; and daughters of your paternal uncles and aunts, and daughters of your maternal uncles and aunts, who migrated (from Mecca) with you; and any believing woman who dedicates her soul to the Prophet if the Prophet wishes to wed her; this only for you, and not for the Believers (at large): We know what We have appointed for them as to their wives and the captives whom their right hands possess; in order that there should be no difficulty for you. And Allah is Oft-Forgiving, Most Merciful. You may defer (the turn of) any of them that you please, and you may receive any you please: and there is no blame on you if you invite one whose (turn) you had set aside. This were higher to the cooling of the eyes, the prevention of their grief, and their satisfaction - that of all of them - with that which you have to give them: and Allah knows (all) that is in your hearts: and Allah is All-Knowing, Most Forbearing. It is not lawful for you (to marry more) women after this, nor to change them for (other) wives, even though their beauty attract you, except any your right hand should possess (as hand-maidens): and Allah does watch over all things.}** [Al-Ahzab 50-52] He also

said: **{O Prophet! Why do you hold to be forbidden that which Allah has made lawful to you? You seek to please your consorts but Allah is Oft-Forgiving, Most Merciful.}** [At-Tahrim 1] He said too: **{O Prophet! When you do divorce women, divorce them at their prescribed periods, and count (accurately) their prescribed periods: and fear Allah your Lord: and turn them not out of their houses, nor shall they (themselves) leave, except in case they are guilty of some open lewdness, those are limits set by Allah: and any who transgresses the limits of Allah, does verily wrong his (own) soul: you know not if perchance Allah will bring about thereafter some new situation.}** [At-Talaq 1] Similar are all the obligations enjoined upon the one competent for religious assignments, including, of course, the Prophet “peace be upon him”.

The Shari‘ah, in this sense, is the absolute governor, and all the people competent for religious assignments, including the Prophet, are subject to its rulings and judgments. That is indeed the greatest way and guide to Allah Almighty. That is the significance of Allah's saying: **{And thus have We, by Our command, sent inspiration to you: you knew not (before) what was Revelation, and what was Faith: but We have made the (Qur’an) a Light, wherewith We guide such of Our servants as We will; and verily you do guide (men) to the Straight Way.}** [Ash-Shura 52]

The Messenger of Allah “peace be upon him” was the first whom Allah Almighty guided by the Scripture (the Qur’an) and the faith, and then those who followed him in it. The Book is the guide, and the revelation sent down upon him clarifies this guidance, and the people are guided by all. When The Messenger of Allah “peace be upon him” had his heart and organs, outward and inward enlightened by the light of the truth in knowledge and deed, he, in turn, became the first and the greatest guide of the people of this ummah.

Allah Almighty favored him “peace be upon him” from among all the people, by receiving that light (of revelation), and primarily selected him to have the best human character, not as a rational being, an attribute in which he shares the others, nor as a man belonging to the Quraish, otherwise, everyone belonging to the tribe of Quraish would have been the same, not as one of the offspring of ‘Abd-Al-Muttalib, nor as one of the Arab descendants, nor anything like that: He favored him only with that Divine revelation which enlightened his heart and organs, and he came to behave in accordance with the Qur’an. That Allah Almighty revealed in connection with him: **{And you (stand) on an exalted standard of character}** [Al-Qalam 4] indicates that his moral character was compatible with the Qur’an. That is because he agreed with the Qur’an in his knowledge and deed. The Divine revelation was the governor, with which he “peace be upon him” complied, and to whose ruling and judgment he was subject.

This characteristic was among the greatest evidences for his truthfulness in that which he brought. He brought the command which he himself

complied with, the forbiddance which he himself desisted from, the admonition which he himself got instructed with, the terror and he himself was the first to feel afraid, and the hope given that he was the leader of those who hoped.

All of this goes back to the fact that he made the Shari'ah revealed upon him the absolute governor that ruled him, and an indication to the straight path which he followed. That is why he became the servant of Allah in truth, the noblest name given to a man. In confirmation of that, Allah Almighty said: **{Exalted be He (Allah) Who did take His servant for a Journey by night from the Sacred Mosque to the Farthest Mosque, whose precincts We did bless, in order that We might show him some of Our Signs: for He is the One Who hears and sees (all things).}** [Al-Isra' 1] He further said: **{Blessed is He Who sent down the Criterion to His servant, that it may be an admonition to all creatures.}** [Al-Furqan 1] He said too: **{And if you are in doubt as to what We have revealed from time to time to Our servant, then produce a Surah like thereunto; and call your witnesses or helpers (if there are any) besides Allah, if your (doubts) are true.}** [Al-Baqarah 23] Many are the Quranic Verses like this in which Allah praised him "peace be upon him" with the true servitude (to Him).

Being so, it is more entitled that all the people should make Shari'ah a regulating argument upon them, and a minaret to be guided by its light to the truth. They are honored only as much as they are subject to its rulings, and act upon it in word, belief and deed, rather than in proportion to their minds or their high rank among their people. That is because Allah Almighty affirmed honor to it and not to anything else in His statement: **{Verily the most honoured of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full Knowledge and is well-acquainted (with all things).}** [Al-Hujurat 13]

Whoever does his best to follow Shari'ah most is the fittest for honor and dignity, and the less one does in this respect, the less honored he becomes. In sum, the more one adjudicates the rulings and judgments of Shari'ah, the more he becomes honored, and vice versa.

Giving preference to the Shari'ah-based sciences over all other sciences

Let us say, then, that Allah Almighty has honored the men of knowledge, raised their rank, and highly esteemed their position, as attested from the Book, the Sunnah and the consensus. Moreover, there is agreement among the intellects on the superiority of knowledge and its men, being worthy of the highest ranks, a fact in which there is no dispute.

Furthermore, the men of different laws have agreed upon the fact that the science of religious law (Shari'ah) is the best and the most rewardable in the Sight of Allah Almighty; and it is the same whether or not to allow for some of the sects and factions to determine many of those sciences, i.e. those pointed out by the lawgiver as superior and meritorious, so long as we agree on

superiority and excellence of those sciences.

On the other hand, from among the sciences of Shari'ah, some are means to the hereafter happiness, and others purposes. indisputably, those which are purposes are higher in rank, like the science of Arabic which stands for the means in relation to jurisprudence which stands for the purpose: no doubt, the science of jurisprudence is higher in rank than the science of Arabic.

Being so, the men of knowledge are the most honored and the noblest among all the people, a fact in which there is no doubt. The men of knowledge are praised by Shari'ah in terms of being endowed with knowledge rather than anything else. That is the restriction given to their praise. That is indeed the *raison d'être* for their praise, without which they will have no superiority nor excellence over others.

From this point of view, the religious scholars have become rulers over all the people as regards judiciary, issuance of fatwa, and guidance. That is because they are recognized for the Shari'ah-based science, which is an absolute ruler. Thus, they are not rulers because of an attribute in which they share others, like power, will, reason, and so. They are rulers to whom the people refer in all their affairs simply because they possess the regulating science. There ensues from this that they are rulers over the people only from this perspective, and admired and praised only because of that. They are considered to be a dependable reference only on that basis, and without it, they could hardly be rulers. Nay! That is quite impossible.

As well as the Arabic linguist could not be called an engineer, nor could the engineer be called an Arabic linguist, similarly, by no means could we call the deviant from the Shari'ah ruling a Shari'ah-dependent ruler: he is called a ruler who depends on his opinion or reason. It is not valid to make him a dependable reference in the regulating science, because the regulating science belies him, and refutes his argument. This fact also is indisputably agreed upon among all the rational men.

Another concept ensues from that. When a Shari'ah scholar has the people follow him in his words, and comply with his command, he is so simply because he rules by Shari'ah, and in accordance with its laws and principles. He, in fact, is a reporter from The Messenger of Allah "peace be upon him" who, in turn, was a reporter from Allah Almighty. He receives from him that which he is certain, or at least almost certain, to be handed down from him "peace be upon him". thus, he does not rule because he assumes himself to be an absolute ruler.

Nothing like this is affirmed to anyone whatsoever: it is affirmed only to Shari'ah revealed upon The Messenger of Allah "peace be upon him". consequently, this is affirmed also to him "peace be upon him" only apart from all the people, on the basis of infallibility, and the proof that all he says and does is indisputably true, to which the apostleship joined with the Prophetic miracle indicated. No one else has ever been proved infallible, by

miracle, in order to be equal to the Prophet "peace be upon him" in assuming himself an absolute ruler. He is assumed to be a ruler only in accordance with the laws and teachings of Shari'ah, in such a way that if the ruling of Shari'ah is found to be different from his, he would not be a ruler. That is because in this case, he would go beyond the laws of the regulating Shari'ah. This fact is also indisputably agreed upon among the scholars. for this reason, all Shari'ah-based disputable questions should be referred to Shari'ah, where the truth is proven, due to the statement of Allah Almighty: **{If you dispute over anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa' 59]

The one competent for Shari'ah rulings may be one of three:

The first is to be a Mujtahid, whose judgment stems from the outcomes of his Ijtihad. His Ijtihad in the matters whose significance is unclear is effective only when what seems to him is closer to the purpose of the lawgiver, and more fit for the proofs of Shari'ah, than what seems to the other Mujtahids. Thus, it is due on him to follow the closest. The evidence for this is that he could but follow the proof in the matters for which the proof is clear, regardless of the outcome of his Ijtihad. In this case, what seems to him (from his Ijtihad) is useless, because it is different from the regulating Shari'ah. His opinion then is nothing considerable in ruling.

The second is to be a mere imitator, who does not possess the knowledge of the regulating Shari'ah. He then should have a leader to lead him, a ruler to judge his affairs, and a scholar so that he would follow him. it is well-known that he follows such a scholar only because he possesses the knowledge of the regulating Shari'ah. The evidence for this is that if he is certain, or almost certain, that he is not one of the men of this knowledge, it becomes unlawful for him to follow him, or comply with his command. It is not valid for a layman to imitate somebody in any field, knowing that he is not one of its men, just as a patient could not offer himself to anyone, knowing that he is not a physician unless he is mad. Being so, the people comply with the judgments of the mufti who possesses the knowledge with which it is necessary to comply, not because he is so and so. This fact also is indisputable under reason or Shari'ah.

The third is not to be in the rank of a Mujtahid, but understands well the evidence and its context, and his understanding is fit for outweighing by means of the considerable outweighing issues. However, his reflection and outweighing may or may not be considered. In case of consideration, he becomes like the Mujtahid in this respect; and the Mujtahid follows the knowledge of the regulating Shari'ah. But in case this is not considered, then, he should be reduced to the rank of the layman, who follows the Mujtahid in his following the knowledge of the regulating Shari'ah.

That is the approach of the Companions "Allah be pleased with them".

As for the Prophet “peace be upon him”, his following the revelation is too famous to mention, and the same is true of his Companions. So, let not us be lengthy in attestation for it.

Nevertheless, anyone of the scholars should be followed only in as much as he follows the Shari’ah, establishes its proofs, and judges by its rulings and judgments in general and details. But if he deviates from it in any particular issue, he will not be a ruler nor be followed concerning that in which he deviates from the right Shari’ah.

Two things then are incumbent on the reflector in this respect, in case he is not a Mujtahid:

The first is to follow a scholar only within the limits of his knowledge of the needed science, and in as far as it is a means to utilize it, since anyone is but a store of that science and no more, and has to fulfill that trust to the best. But if he (the imitator) knows certainly, or almost certainly, that he (the scholar) commits mistake in this science, or does not fulfill it to the best, or deviates from it in some way or another, he then should stop from following him. No doubt, it is not that everything delivered by a scholar should be true. It is possible to commit mistakes, slip, and, in some cases, give priority to assumption (over certainty).

But if such a follower is capable of reflecting upon, and insightful of that science, like the men of knowledge in our time, then, it is easy upon him to get the truth. That is because the transmitted texts are available, either in his memory, or in the books which he is able to read or study.

A layman strives to choose him whom he should imitate

But when he is a sheer layman, the problem lies, for him, in seeing the difference among the transmitters of Shari’ah. But ultimately, he should imitate one of them, because it is impossible to imitate different men at the same time. He may or may not be able to combine more than one in the deed. If he could not, then he should, inevitably, imitate only one; and if he could, then, his deed will not correspond with anyone of them; and that is a third opinion, unfamiliar to anyone. The form of this deed was not found among the early generation of the righteous predecessors. It is, without doubt, opposed to the consensus.

But if he imitates only one, then, it should be known that everyone of them claims he is the closest to the truth, and that is why he disagrees with them. Since the layman is ignorant of the points of Ijtihad, there should be somebody to guide him to the closest among them all. This is proved, for the layman, generally, by way of outweighing one of them over the others, as being the most knowledgeable and the most excellent. This seems clear from the accounts given by the majority of scholars and the students of knowledge are well-aware of that, because being the most knowledgeable makes the layman almost certain that the scholar is the closest to the knowledge of the regulating Shari’ah; and it is from this perspective only that he imitates him.

The other is not to insist on imitating a scholar, when it seems to him that imitating him is wrong under Shari'ah. A layman or his like follows a scholar for many reasons: he may be preponderant over others in his sight or in the sight of his countrymen, or his juristic school of Fiqh may be accredited by his citizens apart from the other juristic schools.

Anyway, if it seems to the layman, in one issue or another, that the followed scholar is mistaken or deviates from the right course of the regulating Shari'ah, he should not be too fanatic to persist in following him in that in which he proves mistaken. That is because his fanaticism leads to opposition, first to Shari'ah, and second to the one whom he follows. As for his opposition to Shari'ah, it is self-evident. Furthermore, his opposition to the one whom he follows lies in his violation of the condition of following. Every scholar states, explicitly or implicitly, that he should be followed in so far as he judges in accordance with Shari'ah and nothing else. But if he seems to judge in accordance with anything else, by insistence on following him, the follower will oppose him, through violating that condition stipulated by him.

The command of both Malik and Ash-Shafi'i to follow, rather than imitate them

According to Malik "may Allah have mercy upon him": "Act upon such of my speech as agrees with the Book and the Sunnah, and discard what does not agree with them." That is his opinion in meaning rather than in wording.

According to Ash-Shafi'i "may Allah have mercy upon him": "My method is (to abide by) Hadith. So, throw away what disagrees with it."

That is the state of all the scholars. In other words, if what you say is compatible with the regulating Shari'ah, that will be good, and what is not should not be attributed to Shari'ah, nor would they accept to be ascribed to opposition of it.

The one to be followed may be a Mujtahid, and thus the follower should refer, to discover and correct the mistakes, to the object of Ijtihad, i.e. the Book and the Sunnah. He also may be an imitator of some learned scholars, like the case of the later scholars who imitate and transmit from the earlier scholars, and get well-acquainted with their juristic schools, and thus, the follower should refer, to discover and correct the mistakes, to the authenticity of transmission from the imitated scholars.

Such is but an imitator, incapable of Ijtihad to deduce the judgments from Shari'ah, a rank which he does not attain. But if he assumes himself in the position of Ijtihad, he will be mistaken and sinful, whether or not he has got the right in his Ijtihad, because he will have got it improperly, and done something by which he has violated the sanctity of the rank fit for others than him, of which he has no knowledge. He indeed gets right from wherever he knows not, given that his mistake is usual. So, it is not valid to follow him, just like the laymen, whose Ijtihad is not considerable, and it is of no significance to disagree with him. No doubt, such is mistaken and sinful by his opposition to

the men of knowledge. In sum, it is incorrect to imitate anyone who is not a Mujtahid in an issue in which he depends on his Ijtihad.

Because of absconding the evidence, and rather dependence on men, some people have slipped and thus deviated from the right course of the Companions "Allah be pleased with them" and their Tabi'is, and followed their inclinations without knowledge. In this way, they have strayed from the straight path.

Ten examples for following the inclination and imitation

The first, which is the most severe, is to make following the fathers, in the origin of religion, the source to refer to apart from anything else. They rejected, by this, the evidences of the message, the Quranic argument, and the reason-based proofs, as stated by Allah's saying: Nay! They say: "We found our fathers following a certain religion, and we do guide ourselves by their footsteps."} [Az-Zukhruf 22]

They retracted from the answer they had to give to the question, and rather stuck to their imitation of their fathers, as shown in Allah's statement: **{He said: "What! Even if I brought you better guidance than that which you found your fathers following?" They said: "For us, we deny that you (prophets) are sent (on a mission at all)."} [Az-Zukhruf 24]**

In this way, they had no answer but rejection, just depending upon following the fathers, and discarding anything else. However, this conduct was condemned in all religions, as related by Allah Almighty about the people of Noah "peace be upon him" when He said: **{The chiefs of the Unbelievers among his people said: "He is no more than a man like yourselves: his wish is to assert his superiority over you: if Allah had wished (to send Messengers), He could have sent down angels: never did we hear such a thing (as he says), among our ancestors of old."} [Al-Mu'minun 24]** the same is true of the people of Abraham "peace be upon him" about whom Allah Almighty relates saying: **{He said: "Do they listen to you when you call (on them), "Or do you good or harm?" They said: "Nay, but we found our fathers doing thus (what we do)."} [Ash-Shu'ara' 72-74]** All of those were condemned when they thought and further considered that the truth had to follow them, and did not take heed of the fact that it is the truth which should be followed.

The second is the opinion of the Imamate fans. The third is the doctrine of the followers of Al-Mahdi. The fourth is the approach of some imitators of a particular Imam.

The second is the opinion of the followers of the Imam who is infallible in their pretense, even if he disagrees with what was brought by the infallible Prophet "peace be upon him". In this way, they made men adjudicators over Shari'ah rather than Shari'ah over men, given that the Book was revealed to rule over the people absolutely and under all circumstances.

The third joins the second, and it includes the followers of Al-Mahdi.

They made the acts of their Imam an argument over all the people, regardless of their disagreement with the ruling of Shari'ah. Moreover, they made most of them stipulations in the contract of their Mahdi, and rendered disbeliever the one who disagreed with them, and made him subject to the ruling of the disbeliever, in essence. We have previously presented some examples for that.

The fourth stands for the opinion of some imitators who imitated a particular Imam, assuming him in the position of Shari'ah. They disdained to attribute a credit to any scholar rather than their Imam. Anyone who attained the rank of Ijtihad, as long as he did not relate with their Imam, was disapproved of and criticized severely, and regarded to have swerved from the right conduct, and differed from the established community. They depended on no evidence in so much as on the general habit. However, the imitator of a Mujtahid as he has not attained the rank of Ijtihad receives no harm if anyone differs with his Imam whom he imitates. That is because all follow the way enjoined upon him to follow. The excess in imitation may lead to rejection of what the people agree unanimously not to reject.

The fifth is the opinion of the youth of the later generation who claim to behave in accordance with the manners of, or join the early Sufis. They aim at what is transmitted from them in the books, concerning their states and words, and take them as a method and an ordinance for the men of the Sufi way, regardless of being different from the Shari'ah texts of the Holy Book and the Prophetic Sunnah, and the tradition handed down from the righteous predecessors. They pay no attention to the fatwa of a mufti, or the opinion of a scholar. They rather say that the inventor of the opinion they adopt has been proved one of the Awliya' (very close allies of Allah), which means that all he does and says is the truth, regardless of being different from the Book and the Sunnah; and even if it is different, it should be imitated and followed, under pretext that jurisprudence addresses the public, whereas the Sufi way the private.

They have good assumption of such words and deeds, rather than the law of Muhammad, The Messenger of Allah "peace be upon him". That is indeed the following of men on the expense of the truth. But even, there is no report that what has been transmitted from those early Sufis entertained change in the end from what it was in the beginning, nor is it learnt whether or not they admitted the validity of what issued forth from them. It may also be that one was a leading Imam of Sufism who fell in a slip that should have been concealed upon him, but it is transmitted from him by such as knows nothing about his state, who is not fully disciplined.

The righteous predecessors warned about the slip of the scholar, as being one of the detrimentals which could ruin the religion. It may emerge and become in circulation among the people, who, consequently, would regard it a part of the religion, even though it is opposed to it. In this way, the slip may turn to be one of the arguments of the religion.

It is due to compare the words and deeds of a Sufi against something to judge them whether or not they are fit for being taken a part of the religion. This ruler is Shari'ah, against which the words of the scholars should also be compared. At the least, we should ask those learned of jurisprudence among them as Al-Junaid and others about their words and deeds.

But those youth do not do so, thereupon they follow men in terms of being men, rather than having opinions made preponderant depending upon the truth, unlike the conduct of the righteous predecessors, and also the true Sufis, whose Imam, Sahl Ibn 'Abdullah At-Tastari said: "Our doctrine is based on three fundamentals: imitation of The Messenger of Allah "peace be upon him" in his manners and acts, eating from lawful sources, and making sincere the intention in all the deeds. There is no report that they followed men in a way that may lead to deviation: Allah forbid! Following men (as being men) is the conduct of the men of error."

The sixth is the opinion of some youth in those days, who turned away from studying the knowledge which they liked to speak in, and act upon. They rather returned to imitate many Shaykhs from whom they learnt at the time of their adulthood, I mean the time the recipient is always uncertain and unable to verify of the truth, and the giver careless. Hey placed those Shaykhs in the highest rank of perfection, and attributed to them things which they took with mistakes or did not understand from them correctly, or did not investigate or question the authenticity and reliability of the transmitted narrations, and rather rejected all that was transmitted from the first generation, of the right and truth.

The seventh is the opinion of the youth that what the public do in those days is right absolutely, like the compulsion of congregational supplication just after the obligatory prayers, and the atherence of the Mu'aththins to Tathwib after finishing from the call to prayer, regardless of being in opposition to or agreement with Shari'ah. Whoever disagrees with them depending upon a Shari'ah evidence, be it traditional or based on Ijtihad, is considered by them to be deviant from the Sunnah of the Muslims. They built their argument on things in which they were put to confusion with no considerable evidence. They, for the most part, incline to the opinion that the deed enforced among the majority is proven from virtuous righteous scholars, and had it been wrong, they would not have acted upon it.

That is the state in which we are today. The words and proofs given by the earlier scholars are discarded, whereas good assumptions are given of these of the later generation; and whenever the words of the early scholars are raised, they soon would be rendered doubtful and possibly mistaken, unlike those of the later who are more worthy, in his claim.

If he is asked about the origin of what is brought by that later scholar, and whether it has evidence to support it from Shari'ah, he will have nothing but to say, for instance: That is good, and Allah Almighty says: **{Those who listen to**

the Word, and follow the best (meaning) in it: those are the ones whom Allah has guided, and those are the ones endued with understanding.} [Az-Zumar 18] in other cases, he may say: That is out of righteousness, and Allah Almighty says: **{and cooperate in righteousness and piety, and cooperate not in sin and transgression.}** [Al-Ma'idah 3] But if he is asked about the rationale for its being good or righteous, he will stop and say that it seemed to him to be good or righteous only by virtue of his own mind. That is indeed the reason-based appreciation, and it is the doctrine of the men of deviation, and proven, in the sight of the men of Sunnah, to be one of the new religious innovations.

Some of those have come across the opinion of Al-Qarafi and Ibn 'Abd-As-Salam, which divides the religious innovation into five divisions. But that belongs to the pleasant-seeming invented groundless matters.

This may be confirmed by the Prophetic Hadith in which The Messenger of Allah "peace be upon him" says: "What is seen good by the Muslims is also good in the sight of Allah Almighty."⁽¹⁾ The meaning of the Hadith is that if the scholars investigate an issue based on Ijtihad, and unanimously agree that it is good, it is also good in the Sight of Allah Almighty because it corresponds with the fundamentals of Shari'ah.

The evidence is that it is agreed upon the fact that if the laymen investigate something and their Ijtihad leads them to appreciate a Shari'ah ruling, it will not be good in the Sight of Allah Almighty unless it corresponds with Shari'ah. Those about whom we talk in this issue do not belong to the Mujtahids - a fact recognized by both them and us. So, no importance should be given to supporting with the Hadith the argument for appreciation or depreciation of anything with no Shari'ah evidence.

Some of them promote in this claim until anyone of them pretends the consensus among all inhabitants of the earth, given that he may have neither traveled from his own city, nor searched for the scholars of the different countries and regions, nor looked for their opinions in that adopted by the public, nor knew any news about the people of the earth. Of course, he will be questioned about that on the Day of Judgment.

All this trouble is based on having good assumption of the deeds and words of the later, even though different from Shari'ah, not to mention taking sides with men regardless of investigation of the truth.

The eighth is the opinion of a group of people who lived earlier than the time of the composer (of this book), and took men as a means to follow the inclinations of their own, those close to them, and those who had desire for them. If they knew about the desire of a certain man for a particular ruling or

(1) This Hadith is Mawquf, i.e. ends with 'Abdullah Ibn Mas'ud. See Kashf Al-Khafa', Al-'Ajluni, no. 2214; Ad-Durar Al-Muntathirah, As-Suyuti, 388; Majma' Az-Zawa'id, Al-Haithami, 1:177.

fatwa in terms of worship or conduct, they would search for the opinions of the scholars concerning the question in issue until they would find the ruling that may agree with his desire, and give fatwa with it, under the claim that the difference of scholars is a source of mercy (for the ummah). This evil continues to spread among their followers, one from the other, until it has become common to the extent that Al-Khatabi related from one of them that he said: "Every issue made permissible by anyone of the scholars, whether or not he is deviant from the established community, should be rendered permissible." Anyway, this issue has been well clarified to the best in Kitab Al-Muwafaqat, and all perfect praise be to Allah.

The ninth is what is related by Allah Almighty from the Jewish rabbis in His statement: **{They take their priests and their anchorites to be their lords in derogation of Allah, and (they take as their Lord) Christ, the son of Mary; yet they were commanded to worship but One God: there is no god but He. Praise and glory to Him: (far is He) from having the partners they associate (with Him).}** [At-Tawbah 31]

It is narrated on the authority of ‘Adi Ibn Hatim "Allah be pleased with him" that he said: I visited The Messenger of Allah "peace be upon him" and I had a golden cross hung in my neck. Seeing it, he "peace be upon him" said to me: "O ‘Adi! Throw away this idol from you." I heard him reciting from Surat Bara'ah: **{They take their priests and their anchorites to be their lords in derogation of Allah.}** [At-Tawbah 31] I said: "O Messenger of Allah! They indeed did not worship them." He "peace be upon him" said: "Yes. But if they made lawful for them anything prohibited (by Allah), they would make it lawful accordingly; and if they made unlawful for them anything made lawful (by Allah), they would make it lawful accordingly. That is how they worshipped them."⁽¹⁾

It is narrated in Tafsir Sa‘eed Ibn Mansur that it was said to Huthaifah "Allah be pleased with him": "Do you see Allah's statement: **{They take their priests and their anchorites to be their lords in derogation of Allah}**?" [At-Tawbah 31] on that Huthaifah said: "No doubt, they did not dedicate their prayer to them. Therefore, they made lawful such of prohibited things as they made lawful for them, and made unlawful such of lawful things as they made unlawful for them. That is how they took them as their Lords."

The same is narrated on the authority of ‘Adi, elevating it to The Messenger of Allah "peace be upon him". that is also the statement of Ibn ‘Abbas "Allah be pleased with them" and Abu Al-‘Aliyah.

Consider, O people of sound minds, how the belief in men caused them to give fatwa in such a way as in connection with which they did not search for Shari‘ah evidence in so much as preferred the transitory benefit: may Allah

(1) Sunan At-Tirmithi, Hadith no. 3095; Al-Mu‘jam Al-Kabir, Hadith no. 218; Sunan Al-Baihaqi, Hadith no. 20137.

save us from that by His bounty.

The tenth stands for the opinion of the reason-based appreciation and depreciation. Their approach is to give minds of men the authority of arbitration on the expense of Shari'ah, being one of the fundamentals on which the men of religious innovations based their method. if Shari'ah agreed with their opinions, they would accept it, otherwise, they would reject it.

In sum, giving men the authority of arbitration, paying no attention to the fact that they are only means to the required Shari'ah ruling is an evident error.

My success lies only with Allah, and only Shari'ah is the decisive argument and the supreme ruler.

5.10. The Approach Of Companions In Following, And Giving It The Authority Of Arbitration In The Settlement Of Disputes, And The Evidences For It

Let us say that this is just the approach of the Companions of The Messenger of Allah “peace be upon him”, as shown from their conduct, states, behaviors and biographies. Do you not see when the dispute broke up in the Shed (of Banu Sa’idah), between the Muhajirs and the Ansar over the matter of ruling, to the extent that a man from them said: "Let a ruler be from us, and another ruler be from among you"? then, when they received the news from The Messenger of Allah “peace be upon him” that he said: "The rulers should be from among the Quraish people"⁽¹⁾, they submitted immediately to the obedience of Allah and His Messenger “peace be upon him” and did not adopt any personal opinion rather than that, in view of their knowledge that the truth is always prior to the opinions of men whatsoever.

Falling in dispute over ruling, and fighting the withholders of Zakah

When Abu Bakr "Allah be pleased with him" liked to fight the withholders of Zakah, they (the Companions) established the argument against him with the famous Hadith⁽²⁾ thereupon he refuted their argument from the same Hadith, i.e. his statement "except legally". He said: "Verily, Zakah is a right due on the property. By Allah, I would fight them even if they withheld from me even a string (of hobbling the feet of a camel) they used to give to The Messenger of Allah “peace be upon him”.”⁽³⁾

(1) It is narrated on the authority of Anas Ibn Malik. See Sunan An-Nasa'I, Hadith no. 5942; Musannaf Ibn Abu Shaibah, Hadith no. 33054, 33064, 38307; Musnad Ahmad Ibn Hanbal, Hadith no. 12329, 12923; Al-Awsat, Hadith no. 6611; As-Saghir, Hadith no. 425; Musannaf 'Abd-Ar-Razzaq, Hadith no. 19304; Sunan Al-Baihaqi, Hadith no. 16308, 16317; Shu'ab Al-Iman, Hadith no. 1614; Al-Mustadrak, Hadith no. 6962.

(2) It is narrated on the authority of 'Abdullah Ibn 'Umar that The Messenger of Allah “peace be upon him” said: "I have been ordered (by Allah) to fight against the people until they testify that there is no God to be worshipped but Allah and that Muhammad is the Messenger of Allah. They have to offer the prayers perfectly and give the obligatory charity. If they perform that, then they would save their lives and property from me except legally, and their reckoning will be incumbent upon Allah." See Sahih Al-Bukhari, Hadith no. 25.

(3) The story goes as follows: It is narrated on the authority of Abu Hurairah that he said: when The Messenger of Allah “peace be upon him” died and Abu Bakr was appointed as his successor, and those amongst the Arabs who wanted to renegade became apostates, (Abu Bakr intended to fight them). 'Umar Ibn Al-Khattab said to Abu Bakr: “Why would you fight against the people, since The Messenger of Allah “peace be upon him” stated: “I have been ordered to fight the people until they say: There is no god but Allah; and he who uttered it, his property and life would be saved except legally, and his reckoning (concerning his intention) would be with Allah”?” Abu Bakr said: “By Allah, I would

This has two points relating to our issue:

The first is that he did not allow for anyone to act during his own time differently from what it was during the era of The Messenger of Allah “peace be upon him” even by way of interpretation, because those who did not become renegades among the withholders of Zakah withheld it by way of interpretation, about which the Companions fell in dispute, not about the renegades in principle. But Abu Bakr “Allah be pleased with him” did not excuse them for their interpretation and ignorance, and rather looked at the truth of the matter during the era of The Messenger of Allah “peace be upon him”, and demanded it to the end, so much that he said: “By Allah, I would fight them even if they withheld from me even a string (of hobbling the feet of a camel) they used to give to The Messenger of Allah “peace be upon him””, given that those who suggested to him not to fight them cared for the public interests of the Muslims at that time, which had grounds in the Shari’ah rules and fundamentals. But since the clear Shari’ah evidence seemed apparent to him so much that the suggestions made by the other men were not strong enough to oppose the apparent evidence, he abided by it. Later, the counselors themselves retracted from their suggestions and adopted his valid evidence, because they indeed gave priority to the true ruler, i.e. the Shari’ah.

The dispatch of Usamah Ibn Zaid “Allah be pleased with him”

The other point is that Abu Bakr “Allah be pleased with him” gave no care to the difficulties, troubles and suffering encountered by him and the Muslims in their pursuit of demanding Zakah from its withholders. It is well-known that when those withheld Zakah, he and the Muslims became vulnerable to fight and destruction, which would bring about difficulty upon the Muslims in their souls, property and children. But even, he “Allah be pleased with him” was eager only to establish the religion as it was. That was a fundamental principle, i.e. to give no care to any emergencies in his way to establish the religion and the rites of Islam. Similar to that is the statement of Allah Almighty: **{O you who believe! Truly the Pagans are unclean; so let them not, after this year of theirs, approach the Sacred Mosque. And if you fear poverty, soon will Allah enrich you, if He wills, out of His bounty, for Allah is All-Knowing, All-Wise.}** [At-Tawbah 28] as well as Allah Almighty did not excuse the believers not to prevent the pagans from having access to the Sacred Mosque for fear of poverty, Abu Bakr “Allah be pleased with him” did not regard the difficulty and suffering received by

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decisively fight the one who separated (in treatment) prayer from obligatory charity, for it (the latter) is a right due on the property. By Allah, I would fight them even if they withheld from me even a string (of hobbling the feet of a camel) which they used to give to The Messenger of Allah “peace be upon him”.” ‘Umar Ibn Al-Khattab commented: “By Allah, it was nothing but that Allah had expanded the heart of Abu Bakr for fighting (those who stopped from giving the obligatory charity) and I came to know that he was right.” See Sahih Muslim, Hadith no. 32:20.

Muslims an excuse not to endeavor to establish the rites of religion as they were during the era of The Messenger of Allah "peace be upon him". it is narrated that the Companions suggested to him to return the military expedition dispatched by The Messenger of Allah "peace be upon him" under leadership of Usamah Ibn Zaid, which had not gone yet, in order to aid him in fighting the renegades. But he rejected and said: "I am not to return a military expedition dispatched by The Messenger of Allah "peace be upon him"." in this way, he took sides with the ordinance of Allah, and did not take anything to judge by other than it.

It is narrated on the authority of Kathir Ibn 'Abdullah from his grandfather that he said: The Messenger of Allah "peace be upon him" said: "No doubt, I fear three things to befall my ummah after my death." It was said: "What are those O Messenger of Allah?" he said: "I fear for my death the slip of a scholar, the judgment of a wrongful ruler, and an inclination to be followed."⁽¹⁾

The scholar slips when he deviates from the way of Shari'ah. Being so, how should he be made an argument against Shari'ah? That is indeed impossible as being opposed to it.

The statement of 'Umar "Allah be pleased with him" about the three things to ruin the religion

Sufficient for them was the speech of Allah with which He addressed His Messenger "peace be upon him" and the Companions: **{If you differ in anything among yourselves, refer it to Allah and His Messenger, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.}** [An-Nisa' 59] Nevertheless, He said in the same Quranic Holy Verse: **{And obey Allah and obey the Messenger, and the men in power among you.}** He Almighty confirmed that with His saying: **{It is not fitting for a Believer, man or woman, when a matter has been decided by Allah and His Messenger, to have any option about their decision: if anyone disobeys Allah and His Messenger, he is indeed on a clearly wrong Path.}** [Al-Ahzab 36]

It is within this context that 'Umar Ibn Al-Khattab "Allah be pleased with him" said: "Three (things) ruin the religion: the slip of a scholar, the wrangling of a hypocrite with the Qur'an, and misleading Imams."

It is narrated on the authority of Ibn Mas'ud "Allah be pleased with him" that he said: "Be a scholar or a learner, and do not be a timeserver wavering between both extremities." Ibn Wahb said: I asked Sufyan about the time server, and he said: "The time server in the pre-Islamic days was the one who used to be invited to food, thereupon he would go along with others. It is, among you today, the one who imitates others in his religion."

(1) Al-Jami' Al-Kabir, As-Suyuti, Hadith no. 22371; Jam' Al-Jawami', no. 3564, 8052; Kanz Al-Ummal, Hadith no. 43880.

In his advice to Kumail Ibn Ziyad, it is narrated that ‘Ali Ibn Abu Talib "Allah be pleased with him" said to him: "O Kumail! No doubt, those hearts are containers, and the best one is that which contains good. The people are of three types: a God-conscious scholar, a learner by way of salvation, and a lowly that belong to the laity, and follow every crower, because they do not get the light of the knowledge, nor take refuge to a strong support...woe to a bearer of the truth who has no insight, and has doubt in his heart from the first allegation, because he does not know where the truth is: if he says something, he will mistake, and if he mistakes, he will not know (that he has mistaken). He has nostalgia for that of whose real nature he has no knowledge. Verily, he is a source of temptation for him who is tempted by him. all good lies in one's knowledge of Allah's religion, and it suffices man (for evil) not to know his religion."

It is narrated on the authority of Ibn Mas‘ud "Allah be pleased with him" that he said: "Behold! Let no one of you imitate another in his religion: if he (the imitated) believes, he (the imitator) will believe accordingly, and if he disbelieves, he will disbelieve accordingly. That is because no one should have a pattern to follow in evil."

Those words of Ibn Mas‘ud "Allah be pleased with him" represent the opinions of the righteous predecessors to forbid following the predecessors without taking heed (as to whether it is good or evil).

It is narrated on the authority of Wa'il (Ibn Shaiq Ibn Salamah) that he said: I sat with Shaibah (Ibn ‘Uthman) in the Sacred Mosque who said: No doubt, I sat with ‘Umar Ibn Al-Khattab "Allah be pleased with him" just as you are sitting with me now, and he said to me: "I have intended not to leave a piece of gold or silver (i.e. the money I have in the treasury) but that I would distribute it among the Muslims." I said to him: "But even, you will not do so." He asked me: "Why?" I said: "Because your companions (the Prophet and Abu Bakr) did not do so." He said: "Verily, they are those persons whose guidance I copy." He meant The Prophet "peace be upon him" and Abu Bakr "Allah be pleased with him".⁽¹⁾

It is narrated on the authority of Ibn ‘Abbas "Allah be pleased with both" that he said: ‘Uyainah Ibn Hisn Ibn Huthaifah came and stayed with his nephew Al-Hurr Ibn Qais who was one of those whom ‘Umar used to make near, since the Qur’an reciters were the people of ‘Umar's sessions and advisors whether they were old or young. ‘Uyainah said to his nephew: "O son of my brother! You have an access to this Commander, so take for me the permission to enter into him." Al-Hurr said: "I will take the permission for you to meet him." So Al-Hurr asked the permission for ‘Uyainah whom ‘Umar

(1) Sunan Al-Baihaqi, Hadith no. 9511; Fadl As-Sahabah, 638; Musannaf Ibn Abu Shaibah, Hadith no. 33647; Kanz Al-Ummal, Hadith no. 38052; Al-Jami‘ Al-Kabir, Hadith no. 28766.

admitted. When 'Uyainah entered upon him, he said: "Beware! O the son of Al-Khattab! By Allah, you neither give us sufficient provisions nor judge among us with justice." On that 'Umar became so furious that he intended to harm him, but Al-Hurr said: "O Commander of Believers! Allah said to His Prophet: **{Hold to forgiveness; command what is right; but turn away from the ignorant.}**" [Al-A'raf 199] and this ('Uyainah) is one of the ignorant." By Allah, 'Umar did not overlook that Quranic Verse when Al-Hurr recited it before him. Indeed, he used to observe (the orders of) Allah's Book strictly.⁽¹⁾

Here, a mention may be made of the Hadith of the trial to which the people will be put in the graves, in which the Messenger of Allah "peace be upon him" said: No doubt it has been inspired to me that you will be put to trials in your graves and these trials will be like the trials of Ad-Dajjal. You will be asked: "What do you know about this man (The Prophet Muhammad)?" Then the faithful believer will reply: "He is Muhammad, The Messenger of Allah "peace be upon him" who had come to us with clear evidence and guidance and so we accepted his teachings and followed him. He is Muhammad." He will repeat it thrice. Then the angels will say to him: "Sleep peacefully as we have come to know that you were a faithful believer." On the other hand, a hypocrite or a doubtful person will reply: "I do not know, but I heard the people saying something and so I said it."⁽²⁾

A mention may also be made of the dispute that broke up between both 'Ali and Al-'Abbas "Allah be pleased with them" and how 'Umar dealt with it. Al-'Abbas said to him (in the presence of Talhah, Az-Zubair, Sa'd and 'Uthman): "O Commander of Believers! Judge between me and this ('Ali)." 'Umar said: "Be patient! I beseech you by Allah by Whose Permission the Heaven and the Earth exist, do you know that The Messenger of Allah "peace be upon him" said: "Our (prophets') property will not be inherited, and whatever we leave, is to be used for charity"; and The Messenger of Allah "peace be upon him" meant himself (by saying "we")?" The group said: "He said so." 'Umar then said: "So, I will talk to you about this matter. Allah bestowed on His Messenger, as a special favour, something of this booty which he gave to nobody else." He then recited Allah's saying: **{What Allah has bestowed on His Messenger (and taken away) from them- for this you made no expedition with either cavalry or camelry: but Allah gives power to His messengers over any He pleases: and Allah has power over all things.}** [Al-Hashr 6]

'Umar added: "So this property was especially given to The Messenger of

(1) Sahih Al-Bukhari, Hadith no. 4642; Fadl As-Sahabah, 506.

(2) It is narrated on the authority of Asma', daughter of Abu Bakr. See Sahih Al-Bukhari, Hadith no. 86, 184, 922, 1053, 1054, 1061, 1235, 1373, 2519, 2520, 7287; Sahih Muslim, Hadith no. 8, 11:905; Sunan Abu Dawud, Hadith no. 4753; Muwatta' Malik, Hadith no. 3-4; Musnad Ahmad, Hadith no. 26970; Al-Mu'jam Al-Kabir, Hadith no. 313, 314, 316; Sunan Al-Baihaqi, Hadith no. 6153.

Allah "peace be upon him", but, by Allah, neither did he take possession of it and leave you, nor did he favour himself with it to your exclusion. On the contrary, he gave it to all of you and distributed it amongst you till this property remained out of it. The Messenger of Allah "peace be upon him" used to spend the yearly expenses of his family out of this property, and keep the rest of its revenue to be spent in Allah's Cause. The Messenger of Allah "peace be upon him" kept on doing this during all his lifetime. I ask you by Allah, do you know this?" They replied: "Yes." He added: "When Allah had taken His Prophet unto Him, Abu Bakr said: "I am the successor of The Messenger of Allah "peace be upon him". So, Abu Bakr took over that property which he managed in the same way as The Messenger of Allah "peace be upon him" used to do; and Allah knows that he was true, pious, and rightly-guided. He was also a follower of what is right. Then Allah took Abu Bakr unto Him and I became his successor. I kept that property in my possession for the first two years of my Caliphate, managing it in the same way as The Messenger of Allah "peace be upon him" and Abu Bakr used to do; and Allah knows that I have been true, pious, rightly guided, and a follower of what is right. Now you both ('Ali and 'Abbas) came to talk to me, bearing the same claim and presenting the same case. You, 'Abbas, came to me asking for your share from your nephew's property, and this man, 'Ali, came to me asking for his wife's share from her father's property. I told you both that The Messenger of Allah "peace be upon him" said: "Our (prophets') property is not to be inherited. But what we leave is to be used for charity."

When I thought it right to hand over this property to you, I said to you: "I am ready to hand over this property to you if you wish, on the condition that you would take Allah's Pledge and Convention that you would manage it in the same way as The Messenger of Allah "peace be upon him" and Abu Bakr used to do, and as I have done since I was in charge of it." So, both of you said (to me): "Hand it over to us." On that condition I handed it over to you. So, I ask you by Allah, did I hand it over to them on this condition?" The group replied: "Yes." He said: " Now then, do you want me to give a different decision? By Allah, by Whose power both the Heaven and the Earth exist, I will never give any decision other than that (I have already given). If you are unable to manage it, then return it to me; and I will do the job on your behalf." ⁽¹⁾

Al-Bukhari's chapter on acting upon consultation

Al-Bukhari "may Allah have mercy upon him" included in his Sahih a chapter which requires that when the judgment of the lawgiver takes place, then, it is not fit for men to have any other option whatsoever, and if there is any, no importance should be given to it. Furthermore, consultation should

(1) It is narrated on the authority of Malik Ibn Aws. See Sahih Al-Bukhari, Hadith no. 3094. This and the previous Hadiths are not brought in full in the Arabic text. But I saw it better to bring them in full in the English text for the benefit of the reader.

precede clarification. He said: A Chapter on Allah's saying: **{who (conduct) their affairs by mutual Consultation.}** [Ash-Shura 39] he also said: **{and consult them in affairs (of moment). Then when you have taken a decision, put your trust in Allah. For Allah loves those who put their trust (in him).}** [Al 'Imran 159]

in this way, Allah Almighty has forwarded consultation before decision. But, if The Messenger of Allah took the decision, then, no human being has the right to forward (with his decision) before Allah and his messenger. For example, The Messenger of Allah "peace be upon him" consulted his companions at first concerning the Holy Battle of Uhud; and they gave the opinion of advance towards fighting. But, when he took his decision of advance, and wore his armour, and, at the same time, his companions reverted to the other opinion (of staying in Medina and waiting the pagans), The Messenger of Allah "peace be upon him" rejected to cancel his decision and said: "It is not fit for a prophet who wore his armour to put it down once again until Allah judges the matter."

The Messenger of Allah "peace be upon him" also called 'Ali Ibn Abu Talib and Usamah Ibn Zaid "Allah be pleased with them" when he saw the Divine Inspiration delayed, to consult them about divorcing his wife ('A'ishah), when the slanderers invented the untrue speech about her. He heard from them and then received the Divine revelation, thereupon he lashed the slanderers, and gave no importance to their dispute, because he judged according to what he was commanded by Allah Almighty.

The rulers after The Messenger of Allah "peace be upon him" consulted the trustworthy scholars about the permissible affairs, perchance they would adopt the easiest of them. But if it occurs in the Book and the Sunnah, they would not go beyond it to anything else, in imitation of The Messenger of Allah "peace be upon him".

Abu Bakr "Allah be pleased with him" was of the opinion to fight the withholders of Zakah. But 'Umar Ibn Al-Khattab said to Abu Bakr: "Why would you fight against the people, since The Messenger of Allah "peace be upon him" stated: "I have been ordered to fight the people until they say: There is no god but Allah; and he who uttered it, his property and life would be saved except legally, and his reckoning (concerning his intention) would be with Allah?"⁽¹⁾ later on, 'Umar himself reverted to his (Abu Bakr's) opinion. Abu Bakr then paid no attention to consultation in this issue, because he had the judgment of The Messenger of Allah "peace be upon him" established on those who separated Zakah from prayer, and liked to change the religion and its rules. The Messenger of Allah "peace be upon him" said: "Kill such of

(1) Sahih Al-Bukhari, Hadith no. 6924; Sahih Muslim, Hadith no. 21, 22, 2405; Sunan Abu Dawud, Hadith no. 4352-53; Sunan At-Tirmithi, Hadith no. 2606-8.

people as changes his religion."⁽¹⁾ Furthermore, the Qur'an reciters were the people of 'Umar's sessions and advisors whether they were old or young. Indeed, he used to observe (the orders of) Allah's Book strictly.

All this indicates that the Companions "Allah be pleased with them" took into consideration the opinions of men in the way of the truth only in as much as they are means to reach the law of Allah Almighty rather than ad men of such and such ranks or positions.

It is narrated on the authority of Malik that he said: "It is not that everything said by a man should be taken into consideration, even though this man has excellence for which he is followed, because Allah Almighty says: **{Those who listen to the Word, and follow the best (meaning) in it: those are the ones whom Allah has guided, and those are the ones endowed with understanding.}** [Az-Zumar 18]

The end of the book

(1) It is narrated on the authority of Ibn 'Abbas. See Sahih Al-Bukhari, Hadith no. 3017; 6922; Sunan An-Nasa'I, Hadith no. 3522-28; Sunan At-Tirmithi, Hadith no. 1458; Sunan Abu Dawud, Hadith no. 4351; Sunan Ibn Majah, Hadith no. 2535; Sunan Ad-Daraqatni, Hadith no. 90, 108; Sunan Al-Baihaqi, Hadith no. 16597, 16635, 16637, 16654, 17841; Musnad Ahmad, Hadith no. 1871, 2551, 2552, 2569; Al-Mu'jam Al-Kabir, Hadith no. 10638, 11835; Al-Awsat, Hadith no. 8623; Musannaf Ibn Abu Shaibah, Hadith no. 114, 29595, 29614, 33394, 33811; Musannaf 'Abd-Ar-Razzaq, Hadith no. 18705; Al-Mustadrak, Hadith no. 6225.

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